

6605. Also, petition of the Brooklyn Division, Greater New York Branch, League of Nations Nonpartisan Association, New York City, favoring the passage of the Capper resolution, providing for the renunciation of war as an instrument of national policy, and also the Burton resolution relating to the exportation of arms, munitions, or implements of war; to the Committee on Foreign Affairs.

6606. Also, petition of the Chamber of Commerce of the State of New York, favoring the passage of House bill 11886 and Senate bill 3721, for the creation of captain of the port of New York; to the Committee on Interstate and Foreign Commerce.

6607. Also, petition of Innis, Spelden & Co., New York City, favoring the passage of the Columbia Basin project bill (H. R. 7029); to the Committee on Irrigation and Reclamation.

6608. By Mr. QUAYLE: Petition of Innis, Spelden & Co., of New York, urging the passage of House bill 7029; to the Committee on Irrigation and Reclamation.

6609. Also, petition of American Legion, Newport Post, No. 7, of Newport, R. I., urging the passage of House bill 12030; to the Committee on Naval Affairs.

6610. Also, petition of Camp Shirley, No. 4, United Spanish War Veterans, Department of New Hampshire, urging the passage of House bill 12030; to the Committee on Naval Affairs.

6611. Also, petition of Brooklyn Division of the League of Nations Nonpartisan Association, approving Senator Capper's resolution providing for the renunciation of war as an instrument of national policy and also of the approval of Congressman BURTON's resolution relating to the exportation of arms, munitions, or implements of war to any nation which is engaged in war; to the Committee on Foreign Affairs.

6612. Also, petition of National League of Women Voters, of Washington, D. C., with reference to Senate Joint Resolution 46, Muscle Shoals; to the Committee on Military Affairs.

6613. Also, petition of the Baugh & Sons Co., Baltimore, Md., protesting against the Government going into the fertilizer business and therefore in particular protest against the House Military Affairs Committee's substitute for the Norris bill; to the Committee on Military Affairs.

6614. Also, petition of Federated Agricultural Trades of America, of Chicago, Ill., opposing the McNary-Haugen bill; to the Committee on Agriculture.

6615. By Mr. RATHBONE: Petition of approximately 50 signers, urging that immediate steps be taken to bring to a vote a Civil War pension bill in order that relief may be accorded to needy and suffering veterans and widows; to the Committee on Invalid Pensions.

6616. By Mr. REID of Illinois: Petition of Leva A. P. Simonds and numerous citizens of Elgin, Ill., praying that immediate steps be taken to bring to a vote a Civil War pension bill in order that relief may be accorded to needy and suffering veterans and widows; to the Committee on Invalid Pensions.

6617. By Mr. ROBINSON of Iowa: Petition signed by Sarah E. Bales and about 65 other citizens of Eldora, Iowa, advocating a pension bill carrying the following provisions: \$72 per month for every Civil War survivor, \$125 per month for every Civil War survivor requiring aid and attendance, and \$50 per month for every Civil War widow; to the Committee on Invalid Pensions.

6618. By Mr. ROMJUE: Petition of G. W. Sharp, Jas. W. Billington, et al., of Stahl, Mo., for passage of Civil War pension bill carrying the rates proposed by the National Tribune; to the Committee on Invalid Pensions.

6619. By Mr. RUBEN: Petition of citizens of Laclede County, Mo., in behalf of more liberal pension laws for Civil War veterans and their widows; to the Committee on Invalid Pensions.

6620. By Mr. SELVIG: Petition of Mrs. H. B. Young, of Holt, Minn., urging the passage of the Stalker bill (H. R. 9588) for enforcing the dry laws; to the Committee on the Judiciary.

6621. Also, petition of Mary Bamford and 5 other residents of Thief River Falls, Minn., urging the passage of the Stalker bill (H. R. 9588); to the Committee on the Judiciary.

6622. Also, petition of J. S. Brown and other residents of Thief River Falls, Minn., urging the passage of the Stalker bill (H. R. 9588); to the Committee on the Judiciary.

6623. Also, petition of 30 members of the St. Hilaire Woman's Christian Temperance Union, Selma O. Hoff, secretary, of St. Hilaire, Minn., urging the enactment of the Stalker bill (H. R. 9588); to the Committee on the Judiciary.

6624. Also, petition of Mr. and Mrs. William Karstad, residents of Thief River Falls, Minn., urging the passage of House bill 9588, the Stalker bill; to the Committee on the Judiciary.

6625. By Mr. SINNOTT: Petition of numerous citizens of Jefferson County, Oreg., in favor of an increase of pension for

veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

6626. By Mr. SMITH: Petition signed by 86 residents of Boise, Idaho, indorsing the enactment of legislation increasing the pension of Civil War veterans and their widows; to the Committee on Invalid Pensions.

6627. Also, petition signed by R. L. Sutcliffe and 103 other residents of Butte County, Idaho, protesting against the enactment of any compulsory Sunday observance legislation; to the Committee on the District of Columbia.

6628. Also, petition signed by Mrs. George Moser and 90 other residents of Burley, Idaho, urging the enactment of House bill 9588, to amend the prohibition act; to the Committee on the Judiciary.

6629. By Mr. STRONG of Pennsylvania: Petition of citizens of Templeton, Pa., and vicinity, urging prompt action on pension legislation for the relief of Civil War veterans and their widows; to the Committee on Invalid Pensions.

6630. By Mr. SWING: Petition of citizens of Riverside, Calif., in behalf of the Civil War pension bill for the relief of veterans and their widows; to the Committee on Invalid Pensions.

6631. By Mr. THURSTON: Petition of nine citizens of Athelstan, Page County, Iowa, requesting the Congress to enact legislation increasing the pension of veterans and their dependents; to the Committee on Invalid Pensions.

6632. By Mr. WHITE of Colorado: Petition of the public utilities commission of the State of Colorado, urging the enactment of House bill 11363, to investigate certain practices of the American Telephone & Telegraph Co. and its subsidiary; to the Committee on Interstate and Foreign Commerce.

6633. By Mr. WILLIAMS of Missouri: Petition of Mrs. Gail E. Jackson et al., urging that immediate steps be taken to bring to a vote a Civil War pension bill carrying the rates proposed by the National Tribune; to the Committee on Pensions.

6634. Also, petition of Perry Pratt et al., urging that immediate steps be taken to bring to a vote a Civil War pension bill carrying the rates proposed by the National Tribune; to the Committee on Pensions.

6635. Also, petition of Charles E. Stout et al., urging that immediate steps be taken to bring to a vote a Civil War pension bill carrying the rates proposed by the National Tribune; to the Committee on Pensions.

6636. By Mr. WINGO: Petition of certain citizens of Ursula and Charleston, Ark., advocating increase in pensions for veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

6637. By Mr. ZIHLMAN: Petition of Harriet J. Wright and other residents of Altamont, Md., urging early action on the Civil War pension bill; to the Committee on Invalid Pensions.

SENATE

TUESDAY, April 10, 1928

(Legislative day of Monday, April 9, 1928)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed without amendment the bill (S. 1628) relating to the office of Public Buildings and Public Parks of the National Capital.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 9829) to extend the provisions of the act of Congress approved March 20, 1922, entitled "An act to consolidate national forest lands."

CALL OF THE ROLL

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Bruce	Fess	Harrison
Barkley	Capper	Fletcher	Hawes
Bayard	Caraway	Frazier	Hayden
Bingham	Copeland	Gerry	Heflin
Black	Couzens	Glass	Jones
Blaine	Curtis	Goff	Kendrick
Blease	Cutting	Gooding	Keyes
Borah	Dale	Gould	King
Bratton	Dill	Greene	La Follette
Brookhart	Edge	Hale	McKellar
Broussard	Edwards	Harris	McLean

McMaster
McNary
Mayfield
Metcalf
Moses
Neely
Norbeck
Nye
Oddie
Overman

Phipps
Pine
Pittman
Ransdell
Reed, Pa.
Robinson, Ind.
Sackett
Schall
Sheppard
Shipstead

Shortridge
Simmons
Smith
Smoot
Steck
Steiner
Stephens
Swanson
Thomas
Tydings

Tyson
Vandenberg
Wagner
Walsh, Mass.
Walsh, Mont.
Warren
Waterman
Watson
Wheeler

Mr. McNARY. I wish to announce that the senior Senator from California [Mr. JOHNSON] is absent on account of illness.

Mr. CARAWAY. I desire to announce that my colleague the senior Senator from Arkansas [Mr. ROBINSON] is necessarily detained by illness in his family. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Eighty-three Senators having answered to their names, a quorum is present.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following resolution of the Legislature of the State of New York, which was referred to the Committee on Commerce:

IN SENATE, STATE OF NEW YORK,
Albany, March 5, 1928.

Whereas the project of an all-American ship canal across the State of New York, connecting the Great Lakes with the Atlantic Ocean, continues to be a subject of public agitation and discussion and is of deep concern to the people of the State of New York and to the Nation at large; and

Whereas in the consideration of such project it has been urged that the route of the present Erie Barge Canal should generally be followed in the construction of the work; and

Whereas many populous communities exist along such route and many industrial establishments have for years been maintained thereon that would be served and benefited by such a ship canal; and

Whereas the work being done by the General Government in making a deeper channel in the Hudson River and the establishment of a port at Albany are well under way; and

Whereas the confluence of the Erie Barge Canal and of the Champlain Barge Canal is at the head of tidewater in the Hudson River at Troy: Now, therefore, be it

Resolved (if the assembly concur), That if the Federal Government shall decide to build a ship canal across the State of New York and the constitution of this State shall be amended in the prescribed manner, so as to permit of the transfer to that Government of the existing Erie Barge Canal as a part of a national waterways route, it is the earnest recommendation of the legislature of this State that the eastern portion of such ship canal shall be built to follow the historic route of the Mohawk River and the Erie Barge Canal to the head of tidewater in the Hudson River at Troy, thus securing the advantages of existing canal structures and the continued serving and further development of the municipalities and the numerous important industries now established both along such route and in and between the cities of Albany, Troy, Schenectady, Watervliet, Rensselaer, and Cohoes; and be it further

Resolved, That a copy of this resolution be transmitted by the clerk of this senate to each United States Senator and Representative in Congress from the State of New York.

By order of the senate,

ERNEST A. FAY, Clerk.

In assembly, March 21, 1928.

Concurred in without amendment.

By order of the assembly,

FRED W. HAMMOND, Clerk.

The VICE PRESIDENT also laid before the Senate a resolution of the Central Labor Union of Washington, D. C., which was referred to the Committee on the District of Columbia and ordered to be printed in the RECORD, as follows:

Whereas there is now pending in the Senate of the United States a bill (H. R. 8298) proposing to move the farmers' produce market now operated by the District of Columbia, and to limit the business on said market to wholesale transactions only; and

Whereas the said farmers' produce market as now conducted permits both retail and wholesale business, and is of vast direct benefit to the people of the District of Columbia by reason of—

1. Retail buying done there by consumers;
2. Its stabilizing effect on food prices throughout the District of Columbia and vicinity;
3. Preventing a monopoly in the storage and distribution of our food supply; and

Whereas it has been estimated that consumers buy at retail direct from the farmers on said market food amounting to approximately \$600,000 per year at an average saving of over \$150,000 per year; and

Whereas if retail sales are prohibited on said market all of said benefits to the public who now enjoy the privilege of buying at retail from the farmers will be lost, thereby increasing the already high cost of living; and

Whereas the people of the District of Columbia want and need a retail produce farmers' market easily accessible with adequate transportation facilities as near as practicable to the geographical center and center of population; and

Whereas the Terminal Refrigerating & Warehousing Co., the Potomac Freight Terminal Co., and the Pennsylvania Railroad Co. have successfully lobbied through the House of Representatives and the District Committee of the Senate the above bill restricting the farmers' market to wholesale operations, and designating as its future location the very extreme southwest edge of the District of Columbia on land directly opposite a public school and adjoining their own property, which they, of course, desire to sell or rent (but control) to commission men and others for their own financial gain and benefit, but to the detriment to the rights, welfare, and interests of the wage earners of the District and vicinity; and

Whereas the farmers who stand on the farmers' market are practically unanimous in their demand for retail privileges at some convenient and accessible location both for them and their customers; and

Whereas the present local situation is an exact miniature replica of the class struggle going on throughout the entire United States where small but powerful and well-organized financial interests are gradually obtaining control of the supply and distribution of the necessities of life to the detriment of and against the protests of the great masses of farmers and consumers; and

Whereas the above bill if enacted into law would be class legislation in that it not only takes rights and privileges from but imposes hardships and burdens upon our unrepresented masses and benefits only big business and the money classes, thereby again emphasizing how helpless and inarticulate we are without District suffrage and representation: Now, therefore, be it

Resolved, That the Central Labor Union of Washington, D. C., go on record as opposed to the passage of the bill now pending before the Senate, and that the secretary be authorized and directed to forward a copy of these resolutions to the President of the United States, to the Vice President of the United States (with the request that it be inserted in the CONGRESSIONAL RECORD), to each Member of the Senate, and to the Commissioners of the District of Columbia.

Mr. BRUCE presented a petition of sundry citizens of Baltimore, Md., praying for the passage of legislation granting increased pensions to Civil War veterans and their widows, which was referred to the Committee on Pensions.

Mr. WARREN presented resolutions adopted by the Lions Clubs of Kemmerer and Torrington; by Washakie Post, No. 61, the American Legion, of Pavillion, and of Jacksons Hole Post, No. 43, the American Legion, of Jackson, all in the State of Wyoming, favoring the passage of legislation to provide for aided and directed settlement on Federal reclamation projects, which were referred to the Committee on Irrigation and Reclamation.

Mr. WALSH of Massachusetts presented numerous telegrams in the nature of memorials from sundry citizens and business firms of Boston, Newton Highlands, and Watertown, all in the State of Massachusetts, remonstrating against the passage of Senate bill 3555, the so-called McNary-Haugen farm relief bill, which were ordered to lie on the table.

He also presented letters and papers in the nature of petitions signed by members of the Young Women's Christian Association and the Rooming House Association, of Boston, also by sundry citizens of Boston, Allston, Chelsea, Brookline, Cambridge, Quincy, Winchester, Reading, and North Wilmington, all in the State of Massachusetts, praying for the passage of Senate Joint Resolution 122, providing for the reuniting of families of alien declarants, which were referred to the Committee on Immigration.

Mr. NORBECK presented a telegram from a committee of the Spink County Farmers Union at Redfield, S. Dak., which was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

REDFIELD, S. DAK., March 19, 1928.

Senator PETER NORBECK,

United States Senate:

Spink County Farmers Union in session here to-day instructs committee to wire you support Capper-Hope stockyard bill. Union meeting at Mitchell March 14 representative of entire State, also requested your support of bill and instructed Spink County delegation to wire you. Same committee.

CLAUS ZODSMA.
J. MOORE.
GLEN RICHARDS.

REPORTS OF COMMITTEES

Mr. BAYARD, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 343) for the relief of Sallie Stapleford, Mrs. J. C. Stuckert, Mary E. Hildebrand, Kate Wright, Mary M. Janvier, Harry L. Gray, Frank D. Carrow, Harry V. Buckson, George H. Swain, Claude N. Jester, and Charles H. Jamison (Rept. No. 756);

A bill (S. 3030) for the relief of Southern Shipyard Corporation (Rept. No. 757); and

H. R. 7518. An act for the relief of the Farmers' National Bank, of Danville, Ky. (Rept. No. 758).

Mr. CAPPER, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 605) for the relief of Capt. Clarence Barnard (Rept. No. 759); and

A bill (S. 2438) for the relief of the firm of M. Levin & Sons (Rept. No. 760).

Mr. BLACK, from the Committee on Claims, to which was referred the bill (H. R. 9902) for the relief of James A. De Loach, reported it without amendment and submitted a report (No. 761) thereon.

He also, from the same committee, to which was referred the bill (S. 2291) for the relief of certain seamen who are judgment creditors of the Black Star Line (Inc.) for wages earned, reported it with amendments and submitted a report (No. 762) thereon.

Mr. BLAINE, from the Committee on the District of Columbia, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 6844. An act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto (Rept. No. 763); and

H. R. 6856. An act relating to the payment or delivery by banks or other persons or institutions in the District of Columbia of deposits of money and property held in the names of two or more persons, and for other purposes (Rept. No. 764).

Mr. METCALF, from the Committee on Patents, to which was referred the bill (H. R. 6103) to amend an act entitled "An act making appropriations for sundry civil expenses of the Government for fiscal year ending June 30, 1884," and for other purposes, reported it without amendment and submitted a report (No. 765) thereon.

Mr. WATERMAN, from the Committee on Claims, to which were referred the following bills, reported them adversely and submitted reports thereon:

A bill (S. 1215) for the relief of Helen F. Griffin (Rept. No. 766); and

A bill (S. 1552) for the relief of Thomas J. Roff (Rept. No. 767).

Mr. STEIWER, from the Committee on the Judiciary, to which was referred the bill (S. 2901) to amend the national prohibition act, as amended and supplemented, reported it with amendments and submitted a report (No. 768) thereon.

He also, from the Committee on Claims, to which was referred the bill (S. 3314) for the relief of John J. Fitzgerald, reported it with an amendment and submitted a report (No. 769) thereon.

Mr. CUTTING, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 3744) to authorize the leasing of public lands for use as public aviation fields, reported it without amendment and submitted a report (No. 770) thereon.

Mr. EDGE, from the Committee on Interoceanic Canals, to which was referred the joint resolution (S. J. Res. 117) authorizing an investigation and survey for a Nicaraguan canal, reported it with amendments and submitted a report (No. 771) thereon.

Mr. DALE, from the Committee on Commerce, to which was referred the bill (S. 3814) to extend the time for completing the construction of a bridge across the Delaware River near Trenton, N. J., reported it without amendment and submitted a report (No. 772) thereon.

He also, from the same committee, to which was referred the bill (H. R. 7184) authorizing J. L. Rowan, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near Shawneetown, Ill., reported it with an amendment and submitted a report (No. 773) thereon.

He also, from the same committee, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

A bill (S. 3808) to authorize the construction of a temporary railroad bridge across Bogue Chitto River at a point in town-

ship 5 south, range 6 east, St. Tammany Parish, La. (Rept. No. 774); and

A bill (S. 3837) authorizing the West Kentucky Bridge & Transportation Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near Henderson, Ky. (Rept. No. 775).

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that this day that committee presented to the President of the United States the following enrolled bills and joint resolution:

S. 2301. An act to create a commission to be known as the commission for the enlarging of the Capitol Grounds, and for other purposes;

S. 3118. An act to authorize the construction of a temporary railroad bridge across Pearl River at a point in or near section 35, township 10 north, range 6 east, Leake County, Miss.;

S. 3119. An act to authorize the construction of a temporary railroad bridge across Pearl River in Rankin County, Miss., and between Madison and Rankin Counties, Miss.;

S. 3435. An act to authorize an appropriation from tribal funds to pay part of the cost of the construction of a road on the Crow Indian Reservation, Mont.; and

S. J. Res. 95. Joint resolution authorizing the Secretary of Agriculture to dispose of real property, located in Hernando County, Fla., known as the Brooksville Plant Introduction Garden, no longer required for plant-introduction purposes.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHEPPARD:

A bill (S. 3976) to renew and extend certain letters patent; to the Committee on Patents.

By Mr. WAGNER:

A bill (S. 3977) for the relief of James E. Fraser; to the Committee on Claims.

By Mr. DALE:

A bill (S. 3978) granting an increase of pension to Marie L. Couture (with accompanying papers); to the Committee on Pensions.

By Mr. FESS:

A bill (S. 3979) granting an increase of pension to Larella Severs; to the Committee on Pensions.

By Mr. EDGE:

A bill (S. 3981) for the relief of Lieut. Robert O'Hagan, Supply Corps, United States Navy; and

A bill (S. 3982) to amend the naval record of John M. Reber; to the Committee on Naval Affairs.

A bill (S. 3983) granting a pension to John Brennan; to the Committee on Pensions.

By Mr. COPELAND:

A bill (S. 3984) to authorize T. V. O'Connor, president United States Shipping Board Merchant Fleet Corporation, to accept a decoration from the Government of the Kingdom of Rumania; to the Committee on Foreign Relations.

By Mr. WALSH of Massachusetts:

A bill (S. 3985) granting a pension to Mary E. Barnes;

A bill (S. 3986) granting a pension to Michael Collins; and

A bill (S. 3987) granting an increase of pension to Josephine L. Pierce; to the Committee on Pensions.

By Mr. FLETCHER:

A bill (S. 3988) granting the consent of Congress to the boards of county commissioners of the counties of Escambia and Santa Rosa, in the State of Florida, their successors and assigns, to construct, maintain, and operate, or to cause to be constructed, maintained, and operated under franchise granted by them, a free bridge across Santa Rosa Sound, in the State of Florida;

A bill (S. 3989) granting the consent of Congress to the boards of county commissioners of the counties of Escambia and Santa Rosa, in the State of Florida, their successors and assigns, to construct, maintain, and operate, or to cause to be constructed, maintained, and operated under franchises granted by them, a toll bridge across Pensacola or Escambia Bay, in the State of Florida; and

A bill (S. 3990) granting the consent of Congress to the boards of county commissioners of the counties of Escambia, Fla., and Baldwin, Ala., their successors and assigns, to construct, maintain, and operate, or to cause to be constructed, maintained, and operated under franchises granted by them, a toll bridge across Perdido Bay, in the States of Florida and Alabama; to the Committee on Commerce.

A bill (S. 3991) declaring certain designated purposes with respect to certain parts of Santa Rosa Island in Florida to be "public purposes" within the meaning of the proviso in section 7 of the act approved March 12, 1926, entitled "An act author-

izing the use for permanent construction at military posts of the proceeds from the sale of surplus War Department real property, and authorizing the sale of certain military reservations, and for other purposes"; to the Committee on Military Affairs.

By Mr. WATSON:

A bill (S. 3992) to regulate interstate commerce by motor vehicles operating as common carriers of persons on the public highways; to the Committee on Interstate Commerce.

A bill (S. 3993) granting an increase of pension to Anna Russ; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 3994) for the relief of Herman O. Kruschke; to the Committee on Military Affairs.

A bill (S. 3995) for the relief of Gustaf A. Carlson, Alfred Anderson, Claude H. Siems, Nick F. Helmers, and Rome A. Schaffner, of Spokane, Wash., copartners, doing business under the firm name of Siems & Carlson; to the Committee on Claims.

By Mr. FRAZIER:

A bill (S. 3996) granting a pension to Marcullus Red Tomahawk;

A bill (S. 3997) granting a pension to Hugh Swifthawk;

A bill (S. 3998) granting a pension to Thomas Stoneman;

A bill (S. 3999) granting a pension to Eugene Littlesoldier;

A bill (S. 4000) granting a pension to William Redbear;

A bill (S. 4001) granting a pension to Daniel Ojinca (Bobtail Bull);

A bill (S. 4002) granting a pension to Leo Bear Weasel;

A bill (S. 4003) granting a pension to Gabriel Grayeagle;

A bill (S. 4004) granting a pension to Antoine Onefeather;

A bill (S. 4005) granting a pension to Joseph Whitebird;

A bill (S. 4006) granting a pension to Oliver Looking Elk, sr.;

A bill (S. 4007) granting a pension to Walcott Shootswalking (or Wakutemanl);

A bill (S. 4008) granting a pension to Jacob Crossbear;

A bill (S. 4009) granting a pension to Joseph Paints Brown;

A bill (S. 4010) granting a pension to Mary Brownman;

A bill (S. 4011) granting a pension to Mary Loneman; and

A bill (S. 4012) granting a pension to Martina Goodelk; to the Committee on Pensions.

By Mr. BARKLEY:

A bill (S. 4013) authorizing the Henderson-Ohio River Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near Henderson, Ky.; to the Committee on Commerce.

By Mr. ROBINSON of Indiana:

A bill (S. 4014) granting a pension to John O. White (with accompanying papers); to the Committee on Pensions.

LIMIT TO WORK OF RAILROAD EMPLOYEES

Mr. DILL. Mr. President, I desire to introduce a bill to limit the number of days that a man may be consecutively employed on a railroad. At the present time there is no provision of law that prohibits the railroad companies from employing men consecutively as long as they please. I think that is a dangerous practice, and I ask that the bill which I introduce may be printed in the RECORD.

The bill (S. 3980) to provide a six-day week for railroad employees was read twice by its title, referred to the Committee on Interstate Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That after the passage of this act no employee of any railroad engaged in interstate commerce in the United States shall be required to work more than six days per week consecutively except when the superintendent of any railway division or some higher railroad official shall declare an emergency exists, and in no case shall any employee be compelled to work more than 13 days consecutively, and every railroad employee shall be permitted at least four days of rest out of each calendar month of the year: *Provided,* That the monthly rate of pay of railroad employees shall not be decreased because of the provisions of this law.

AMENDMENT TO TAX REDUCTION BILL—PACKING OF CIGARS

Mr. McLEAN submitted an amendment intended to be proposed by him to House bill 1, the tax reduction bill, which was referred to the Committee on Finance and ordered to be printed.

AMENDMENT TO FARM RELIEF BILL

Mr. NEELY submitted an amendment intended to be proposed by him to Senate bill 3555, the farm relief bill, which was ordered to lie on the table and to be printed.

AMENDMENT TO LEGISLATIVE APPROPRIATION BILL

Mr. PHIPPS submitted an amendment authorizing and directing the Secretary of the Senate and Clerk of the House of Representatives to reimburse from the contingent funds of the Senate and House, respectively, until otherwise provided

for, to one clerk or to one assistant clerk to each Senator and/or Representative, or to one clerk or assistant clerk to each committee of the Senate and to each committee of the House, such amounts as may be necessarily paid by said clerk or assistant clerk for railroad fare, Pullman charges, meals en route, tips, portage, and similar minor expenses of travel, from Washington, D. C., to the place of residence in the State of the Senator or Representative by whom employed, at the time such trip is made, and return therefrom, etc., intended to be proposed by him to the legislative appropriation bill for the fiscal year 1929, which was referred to the Committee on Appropriations and ordered to be printed.

CLAIMS OF SETTLERS IN LAKE COUNTY, FLA.

Mr. FLETCHER submitted an amendment intended to be proposed by him to the bill (H. R. 5695) authorizing the Secretary of the Interior to equitably adjust disputes and claims of settlers and others against the United States and between each other arising from incomplete or faulty surveys in township 19 south, range 26 east, and in sections 7, 8, 17, 18, 19, 30, 31, township 19 south, range 27 east, Tallahassee meridian, Lake County, in the State of Florida, which was referred to the Committee on Public Lands and Surveys and ordered to be printed.

HARRIMAN GEOGRAPHIC CODE SYSTEM

Mr. MOSES submitted the following concurrent resolution (S. Con. Res. 15), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate and the Clerk of the House of Representatives hereby are authorized and directed to pay out of the contingent funds of the Senate and House of Representatives, respectively, the sum of \$2,000, or so much thereof as may be required, one half of said sum to be paid by the Secretary of the Senate, the remaining half by the said Clerk of the House upon vouchers duly approved by the chairman of the joint committee of both Houses authorized by Senate Joint Resolution 110, Public Resolution 70, Sixty-ninth Congress, to consider the purchase of the right to an unrestricted use of the Harriman Geographic Code System under patents issued, or that may be issued, and also the unrestricted use of the copyrights issued, or that may be issued, in connection with the products of the Harriman Geographic Code System, for all governmental, administrative, or publication purposes for which the same may be desirable.

DIPLOMATIC RELATIONS WITH TURKEY

Mr. KING submitted the following resolution (S. Res. 194), which was ordered to lie on the table:

Whereas by treaty of commerce and navigation concluded May 7, 1830, proclaimed February 4, 1832; by treaty of commerce and navigation concluded February 25, 1862, proclaimed July 2, 1862; by extradition treaty concluded August 11, 1874, proclaimed May 26, 1875; and by protocol on right to hold real estate in Turkey, proclaimed October 29, 1874, provision was made for the regulation of relations between the United States of America and Turkey; and

Whereas by Title XLVII of the Revised Statutes, and particularly section 4125 thereof, the Congress provided legislation for carrying into effect such treaty of 1830; and

Whereas on April 20, 1917, the Minister of Foreign Affairs of Turkey presented to the ambassador from the United States the following:

SUBLIME PORTE,
MINISTRY OF FOREIGN AFFAIRS,
OFFICE OF THE MINISTER,
April 20, 1917.

No. 95995/172.

Mr. AMBASSADOR: The Embassy of the United States of America having informed the Imperial Ministry of Foreign Affairs by its note verbale of April 8, 1917, No. 242, that its Government is in a state of war with the German Empire, I have the honor to inform your excellency that the Imperial Ottoman Government, ally of this Empire, is obliged to break its diplomatic relations with the Government of the United States of America beginning from to-day.

Please accept, Mr. Ambassador, the assurance of my highest esteem.
(Signed) AHMED NESSIMI.

His Excellency Mr. ELKUS,
Ambassador of the United States of America.

And

Whereas it has been urged that this breaking off of diplomatic relations with the Government of the United States of America operated to annul and abrogate all treaties between the United States and Turkey; and

Whereas the breaking off of diplomatic relations was based entirely on the fact that the Government of the United States was in a state of war with the German Empire, an ally of Turkey; and

Whereas it is a well-recognized principle of international law that a treaty can not be so abrogated unilaterally and that severance of

diplomatic relations does not, ipso facto, terminate treaties made between sovereign powers; and

Whereas it is believed that the severance of diplomatic relations as embodied in the above communication from the Minister of Foreign Affairs of Turkey, would not affect the status of existing treaties between the United States and Turkey; and

Whereas it is believed that such treaties continued and still continue in full force and effect; and

Whereas on January 18, 1927, the Senate refused to advise and consent to the treaty to regulate general relations between the United States and Turkey, signed at Lausanne, Switzerland, on August 6, 1923; and

Whereas, subsequently to such refusal, on February 17, 1927, Admiral M. L. Bristol, acting presumably under instructions from the President, exchanged notes with the Turkish Minister of Foreign Affairs wherein it was agreed that the United States would establish diplomatic relations with Turkey upon the principles of international law and proceed to the appointment of ambassadors as soon as possible, such notes constituting the so-called *modus vivendi* of February 18, 1927; and

Whereas Moukhtar Bey has been designated by the Kemalist Government as Turkish ambassador to the United States and has been received by the President as such ambassador; and

Whereas on May 20, 1927, and during a recess of the Senate, the President made a recess appointment of Joseph C. Grew as ambassador to Turkey; and

Whereas the nomination of Joseph C. Grew as ambassador to Turkey was submitted to the Senate December 9, 1927; and

Whereas such *modus vivendi* purports to reestablish normal diplomatic and treaty relations with Turkey when, as a matter of fact, such relations are governed by the above treaties, which have not been abrogated; and

Whereas by the preamble to the Lausanne treaty the parties agree to "regulate the conditions of intercourse and residence of their nationals on their respective territories and to reestablish their consular and commercial relations in accordance with the principles of international law and on the basis of complete reciprocity * * *" and such *modus vivendi* also proposes to "regulate, in accordance with the principles of international law and on a basis of complete reciprocity the commercial and consular relations * * *"; and

Whereas it is believed that the President can resume relations with Turkey, if at all, on the basis only of the treaty of 1830, and the supplemental treaties above referred to, or on the basis of a new treaty to be entered into and ratified by the Senate in accordance with the Constitution; and

Whereas such *modus vivendi* is relied upon by the State Department as the basis for the reception of Moukhtar Bey as ambassador from Turkey, the recess appointment of Joseph C. Grew as ambassador to Turkey, and the subsequent submission of the nomination of Joseph C. Grew as ambassador to Turkey; and

Whereas it is recognized that a *modus vivendi* is but a temporary arrangement entered into by Executive agreement without the advice and consent of the Senate, and merely contemplates temporary action until the completion of negotiations will give the Senate an opportunity to pass upon the subject matter in the form of a treaty; and

Whereas action by the Executive, after rejection of a treaty, undertaking to put into effect the terms of such treaty, will deprive the Senate of its power to advise and consent in the making of treaties and constitute an attempt to supersede the supreme law of the land by Executive action; and

Whereas such *modus vivendi* is not only futile and ineffectual as an attempted provision for diplomatic relations already covered by treaties ratified and in effect but is also illegal, null, and void, and of no effect by reason of its attempted undertaking of action already rejected by the Senate in the form of a treaty: Therefore be it

Resolved, That it is the sense of the Senate that (1) resumption of diplomatic relations with Turkey otherwise than on the basis of the treaty of 1830 and supplemental treaties of 1862 and 1874, (2) the reception of Moukhtar Bey as Turkish ambassador to the United States, (3) the recess appointment of Joseph C. Grew as ambassador to Turkey, and (4) the subsequent submission to the Senate of the nomination of Joseph C. Grew as ambassador to Turkey, were invalid acts on the part of the Executive, subversive of the harmonious relations which should exist between the Executive and legislative departments of the Government, and constitute a serious and unwarranted infringement by the Executive on the constitutional powers of the Senate and a violation of both the spirit and letter of the Constitution.

PRESIDENTIAL APPROVALS

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that the President had approved and signed the following acts:

On April 4, 1928:

S. 43. An act for the relief of Frederick N. Carr;

S. 46. An act for the relief of Daniel F. Roberts; and

S. 138. An act for the relief of Thomas Johnsen.

On April 5, 1928:

S. 2020. An act for the relief of Leonidas L. Cochran and Rosalie Cochran Brink.

On April 6, 1928:

S. 1899. An act for the relief of Clifford D. Ham, collector general of customs, administrator of Corinto Wharf, Republic of Nicaragua;

S. 2537. An act to amend section 110, national defense act, so as to provide better administrative procedure in the disbursements for pay of National Guard officers and enlisted men;

S. 2827. An act granting the consent of Congress to the States of South Dakota and Nebraska to construct, maintain, and operate a bridge across the Missouri River at or near Niobrara, Nebr.;

S. 2950. An act to amend the second paragraph of section 67, national defense act, as amended; and

S. 3558. An act authorizing Point Pleasant & Henderson Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Kanawha River at or near Point Pleasant, W. Va.

On April 9, 1928:

S. 2657. An act for the relief of George W. Boyer; and

S. 3131. An act to provide additional pay for personnel of the United States Navy assigned to duty on submarines and to diving duty.

On April 10, 1928:

S. 380. An act for the relief of Charles H. Niehaus.

COMMITTEE SERVICE

On motion of Mr. WATSON, it was—

Ordered, That the following Senators be excused from further service as members of the following committees:

Mr. CUTTING from the Committee on the District of Columbia; Mr. BINGHAM from the Committee on Printing.

That the following Senators be assigned to membership on the following committees:

Mr. VANDENBERG to the Committee on Commerce, the Committee on Printing, the Committee on Territories and Insular Possessions, and the Committee on the District of Columbia.

Mr. WATSON to the Committee on Immigration.

That the following Senators are hereby appointed chairmen of the following committees:

Mr. SHIPSTEAD as chairman of the Committee on Printing.

Mr. BINGHAM as chairman of the Committee on Territories and Insular Possessions.

RED RIVER BRIDGE, ARKANSAS

Mr. CARAWAY. Mr. President, there is on the calendar a bill (H. R. 8926) to authorize the highway department of my State to construct a bridge across the Red River. There was some difference as to the wording of that bill, but it has finally been agreed upon, and I ask unanimous consent to have the Senate proceed to the consideration of the bill. I want to offer an amendment to it.

Mr. CURTIS. Is the amendment suggested by the committee?

Mr. CARAWAY. The amendment is in accordance with the agreement made with the House committee.

Mr. CURTIS. It is satisfactory to the Senate Committee on Commerce?

Mr. CARAWAY. I feel absolutely certain that it is.

Mr. CURTIS. I have no objection to the consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8926) granting the consent of Congress to the State Highway Commission of Arkansas to construct, maintain, and operate a bridge across Red River at or near Garland City, Ark.

Mr. CARAWAY's amendment was to strike out all after the enacting clause and to insert:

That the consent of Congress is hereby granted to the State Highway Commission of Arkansas to construct, maintain, and operate a bridge and approaches thereto across the Red River, at a point suitable to the interests of navigation, at or near Garland City, within 5 miles of the bridge of the St. Louis, Southwestern Railway Co., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. If tolls are charged for the use of the bridge constructed under authority of this act, the State Highway Commission of Arkansas may so adjust the rate of toll to be charged as to produce sufficient revenue to maintain, operate, and repair the bridge and repay the original cost of constructing the same, including any interest paid on borrowed money and discounts necessarily required in financing such original construction, and shall, after the repayment thereof, operate such a bridge as a free bridge, provided that no bonds shall be issued

for the building of said bridge that will mature more than 25 years from the date of said bonds.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act granting the consent of Congress to the State Highway Commission of Arkansas to construct, maintain, and operate a bridge across Red River at or near Garland City, Ark."

DEMOCRATIC PRESIDENTIAL NOMINATION

MR. WHEELER. Mr. President, I present an article appearing in the New York Herald-Tribune of to-day, entitled "McAdoo demands Walsh nomination to head off Smith," which I ask may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MCADOO DEMANDS WALSH NOMINATION TO HEAD OFF SMITH—SENATOR DECLARED "SOBER" AND MAN OF INCORRUPTIBLE INTEGRITY AND COURAGE NEEDED FOR PRESIDENCY—MOVE THREATENS SPLIT AT HOUSTON—EX-SECRETARY IN LETTER TO LOS ANGELES MAN DETAILS MONTANAN'S SERVICES TO LABOR AND AGRICULTURE

By Wilbur Forrest

WASHINGTON, April 9.—A serious threat to Democratic Party harmony was seen here to-night in the open championship of Senator THOMAS J. WALSH, of Montana, by William G. McAdoo in a letter to John B. Elliott, of Los Angeles.

Mr. McAdoo has a following among party dries who may welcome opposition to New York's Governor, now well in the lead for the nomination.

Mr. McAdoo had withdrawn from active politics since the Jackson Day dinner here January 12 and the general impression was that he would remain out of the picture in the interest of party harmony. At that time he announced that he would do so.

MCADOO BACK IN FIGHT

With the strong lead attained by Governor Smith, of New York, as the candidate for the Democratic nomination, it is now indicated that Mr. McAdoo has thrown himself back into the fight which is a new element seeming to presage a party split on the wet and dry issue.

Governor Smith's "wetness" clashes with McAdoo's "dryness," and his declaration for Senator WALSH, an avowed dry. What effect this all will have at the Houston convention in June can not yet be estimated, but many observers here to-night were not ready to admit that the McAdoo intervention would prevent the nomination of Smith.

In his letter to Mr. Elliott, the former Secretary of the Treasury says he will make some speeches for Senator WALSH. Coincidentally it became known to-night that Senator WALSH intends to invade Massachusetts during the next few days in an effort to share the Bay State delegation with Governor Smith, whose capture of the entire delegation in the April 24 primaries already has been conceded by some.

DETAILS PRESIDENTIAL REQUIREMENTS

Mr. McAdoo's letter begins:

"A President of the United States who would make that great office the true servant of the people, and not the slave of privilege, must have these qualifications:

"Ability, incorruptible integrity, courage, and that all-embracing virtue—character. WALSH possesses all of them to a marked degree."

It is recalled that Mr. McAdoo's entry into the Democratic fight for Senator WALSH was forecast on the floor of the Senate a few days ago when Senator ROBINSON of Indiana twitted Senator WALSH about McAdoo support and the Montanan retorted that Mr. McAdoo had "an inalienable right to support whom he pleased."

Mr. McAdoo's letter, after extolling WALSH's record and his loyal support of the Woodrow Wilson administration, brings the prohibition issue into play when he says:

"WALSH is dry and WALSH is sober. He practices what he preaches. He is no hypocrite. He indulges in no cant and his life is a daily vindication of his high principles and virtues. If he were elected President of the United States he would demonstrate that the eighteenth amendment can be enforced, because he would enforce it. He would neither nullify the Constitution nor submit to nullifications. The salutary influences of the vigorous administration he would give to the country would have an immeasurably beneficial effect in the suppression of crime and in the restoration of that respect for law which is vital to the perpetuity of democratic institutions."

MCADOO APPEALS TO VOTER

McAdoo loses no point of appeal to the Democratic voter in his letter, which, as a campaign document, was evidently designed to receive widespread publicity.

An appeal to the feminine Democratic vote is seen in the following section devoted to WALSH's record:

"WALSH has been a champion of the rights of women. Not only did he assist in framing the nineteenth, or woman's suffrage, amendment but he supported it with his great ability and influence and helped to put it in the Constitution. In like manner he had a conspicuous part in framing the eighteenth amendment. Both the eighteenth and nineteenth amendments went to the Judiciary Committee, of which WALSH was an important member; there he exercised his conspicuous talents in perfecting these important amendments to the organic law of the land."

MR. MCADOO'S LETTER

The letter from Mr. McAdoo to Mr. Elliott follows:

"WASHINGTON, D. C., April 6, 1928.

"DEAR MR. ELLIOTT: Of course, I will make some speeches for Senator WALSH in the California campaign before May 1 if it is possible for me to leave the important cases here which have kept me in Washington for some time. I shall let you know, at the earliest moment, when, if at all, I can get to California. Meanwhile I must content myself with telling you briefly why I so strongly favor THOMAS J. WALSH for the Democratic presidential nomination.

"A President of the United States, who would make that great office the true servant of all the people, and not the slave of privilege, must have these qualifications: Ability, incorruptible integrity, courage, and that all-embracing virtue—character. WALSH possesses all of them in marked degree.

"When I became Secretary of the Treasury in 1913 I found WALSH in the Senate. A genuine friendship quickly sprang up between us. During the six momentous years I spent in Washington, covering the period of the World War, WALSH was one of the strongest supporters of President Wilson's administration. The valiant service he rendered to his country during that period and since has made him a national figure and one of the foremost leaders of the Democratic Party. There is, in fact, no Democrat in public life to-day whose achievements entitle him to greater honors at the hands of his party than THOMAS J. WALSH.

CITES WORK FOR FARMERS

"With almost every conspicuous and important measure of the Wilson administration WALSH is identified. He strongly supported the Federal reserve act, which has conferred incalculable benefits on all classes of the American people. He fought effectively for the Federal farm loan act, under which the farmers of the United States have been able to secure farm-mortgage loans at low interest rates. The good-roads law found in him an effective advocate. Under this law thousands of miles of magnificent highways have been built throughout the United States with the aid of Federal funds. When the United States entered the World War, WALSH aided every measure that would bring the war to a swift and successful conclusion. He supported the war risk insurance act, under which the life of every American soldier and sailor was insured, indemnities for injuries paid, and financial aid given to the dependent families of those who had gone to the front.

"As a western man, he understands the problems of the people of the West. Because of his intelligent and able efforts on the floor of the Senate laws have been put on the statute books under which the development of the resources of the West, theretofore hermetically sealed through a narrow and shortsighted policy, has gone forward with distinct benefit to the entire country.

DETAILS EFFORTS FOR LABOR

"It was WALSH who secured exemption of farm and labor organizations from the unjust provisions of the Sherman Antitrust Act. It was through WALSH's efforts that regulation of the issuance of injunctions and the right of trial by jury in cases of contempt not committed in the presence of the court were secured for labor. This relief, very properly called labor's magna charta, had been vainly sought by laboring men for 20 years. WALSH has been as just and impartial in his fight for the rights of laboring men as he has been for the rights of legitimate business, as exemplified by his staunch support of the Federal reserve act and other economic measures."

The letter continues:

"WALSH is tolerant and WALSH is wise.

"His tolerance was never better manifested than in the fight he made for the confirmation of Louis D. Brandeis, one of the outstanding Jews of the United States, as an Associate Justice of the Supreme Court. When President Wilson named this great Jew for one of the highest positions in the land he was assailed by narrow and vindictive partisans who sought to prevent the Brandeis confirmation. WALSH's fight for Brandeis resulted in placing upon the Supreme Bench of the United States a man whose signal ability has been a constant contribution to the work of that great court.

TELLS OF WILSON'S APPRECIATION

"His wisdom was conclusively demonstrated when, in 1916, President Wilson, then seeking reelection, selected him as manager of western headquarters at Chicago. We in California know that it was WALSH's management of the western campaign that gave Woodrow Wilson his

second term as President. In this achievement California played a conspicuous and determining part. So warmly did President Wilson appreciate WALSH's great service that he wrote the following letter:

"THE WHITE HOUSE,
Washington, November 16, 1916.

"HON. THOMAS J. WALSH,
Helena, Mont.

"MY DEAR SENATOR: At last I am back at my desk. The formidable mass of business waiting for me begins to clear a little and I am free to give leave to what my heart dictates.

"And one of the first things that it dictates is a letter of gratitude and admiration to yourself. It is not only my own judgment but the judgment of all who have been associated with you that the western headquarters were conducted in the most admirable and efficient manner and with a most delightful harmony of cooperation, and I feel that the party is your debtor for a notable service.

"May I not express my own deep personal regard and sincere admiration and appreciation?

"Cordially and sincerely,

"(Signed) WOODROW WILSON.

MORE PRAISE FROM WILSON

"In 1918, when WALSH was running for reelection as Senator from Montana, President Wilson sent the following letter in support of WALSH to Governor Stewart, of Montana:

"WASHINGTON, D. C., October 14, 1918.

"HON. S. V. STEWART, Governor,
Executive Offices, Helena, Mont.

"MY DEAR GOVERNOR STEWART: Your letter propounds a question which is very easy and very pleasant to answer. Senator WALSH has earned for himself in the Senate of the United States a place of real distinction, and has earned it not only by being consistent and diligent to promote the legitimate interests of his State and by consistent support of the constructive measures which have during his term been enacted in the public interest, but also by very unusual legal ability and political judgment. My own feeling toward him, of course, is very warm, because of his very consistent and generous support of the administration, but that ground of approbation is perhaps too personal, and I mention it only because it gives me so much pleasure to do so.

"Cordially and sincerely,

"WOODROW WILSON.

"WALSH is the implacable foe of corruption in government. Among his great achievements, none is more notable than his courageous and unswerving fight to bring to justice the crooks who attempted to despoil the people of the United States of the naval oil reserves, upon which the Nation may have to depend for its very life if it should again be forced into the horrors of war. Through WALSH's efforts these reserves, worth, perhaps, \$1,000,000,000, have been restored to the people.

CALLED FOR OF CORRUPTION

"Who has exposed corruption in public life with unerring skill and undaunted courage? WALSH! Who has made corruption one of the outstanding issues in the forthcoming presidential campaign? WALSH! Who, as no other man, can make the case against corruption with such power and conviction? WALSH! He personifies the issue and will translate it into victory if he is permitted to lead.

"And who, better than WALSH, knows the problems of the farmers of the West? Through poverty and hardships he came to maturity in the agricultural States of the West. As President he would bring his great talent to bear upon the problem of farm relief and solve it to the satisfaction of the Nation.

"If THOMAS J. WALSH is nominated at Houston, a Democrat—a western Democrat—will occupy the White House from 1929 to 1933 and give the American people an administration of like power and popularity to that of Andrew Jackson, who filled the same great office during the same period a century ago. With WALSH in the White House a just man, an able man, a courageous man, an intellectual man, a great man, and a sober man will lead the people of the United States into a new era of prosperity and law obedience. Fundamental Democratic principles will operate again for the benefit of all classes and all creeds and all races, and the best traditions of Jefferson, Jackson, Cleveland, and Wilson will find new expression and new power.

"The greatest constitutional lawyer in the Senate; a statesman of commanding ability; a public servant of exceptional integrity, industry, and capacity; a progressive Democrat of the highest type; a notable defender of the Constitution, with a mind and a vision as broad as the Nation—this is THOMAS J. WALSH. I hope that California may send a delegation to Houston to present the claims of this great citizen and statesman.

"Cordially yours,

"W. G. MCADOO.

"HON. JOHN B. ELLIOTT,
Los Angeles, Calif."

RACIAL POLICY IN CENSUS OFFICE AND ANDERSON (S. C.) POSTMASTER

Mr. BLEASE. Mr. President, I have an article from the Washington Post of March 31, which I would like to have the clerk read. I send to the desk also a letter to myself which I ask that the clerk may read after he has read the article.

The VICE PRESIDENT. Without objection, the clerk will read, as requested.

The Chief Clerk read the article and the letter, as follows:

[From the Washington Post, March 31, 1928]

HOOVER CHANGES RACIAL POLICY IN CENSUS OFFICE—COLORED CLERKS NOW IN ALL DEPARTMENTS; ADMINISTRATIVE POSITION SOUGHT—NEGRO ELKS ARE ACTIVE

Colored clerks in the Census Bureau yesterday sought to learn why they have been brought up from the basements and other segregated sections where they have worked for years and placed in all departments of the bureau on equal terms with other workers. It was learned that the order to abolish segregation and racial discrimination in the department came at the order of Herbert Hoover, Secretary of Commerce.

The Secretary was visited by Neval H. Thomas, president of the Association for Advancement of Colored People, and by Robert J. Nelson, executive director of the Civil Liberties Bureau of Colored Elks, who described conditions in the department to him. His order for removal of the alleged discrimination, following an investigation, came just in time to present to the view of E. W. B. Curry, negro editor of Springfield, Ohio, a satisfied group of negro clerks.

Curry, who made a trip here yesterday from Ohio because his candidacy as a Hoover delegate to the Republican National Convention had been injured by charges that the Department of Commerce here was honeycombed with racial segregation, returned to the Buckeye State satisfied that he could safely run as he had planned. It is understood that negro Elks, encouraged by the situation at present, have asked Secretary Hoover for an administrative position in the department of vital statistics, in connection with their national health program.

WASHINGTON, D. C., April 6, 1928.

Senator COLE BLEASE,

Senate Office Building, Washington, D. C.

DEAR GOVERNOR BLEASE: I know you are a southern gentleman and not unfriendly to the colored people, but do not believe in mixing them with white people, especially women.

Mr. Hoover, the head of our department, got many of the colored delegates in the South when he gave them Red Cross hams and bacon during the flood. That was probably all right; but now because he has a fight in Ohio and Indiana and wants the colored votes there he has listened to the nigger politicians and has put these colored people among the white girls in the department for the first time.

They have always been in a section to themselves on the first floor and had a toilet set aside for them. Now we have to use the same ones that they use, which is not very pleasant.

I wonder how Mr. Hoover would like to have the women of his family use the same toilet that colored people use. They, of course, would not have to, but under Mr. Hoover's orders we have to.

I was going to get a lot of copies of the notice in the Post and send them to the principal southern papers, but somebody told me that this was just the kind of publicity Herbert Hoover wants, that he would use it in all the colored papers in the country to get them to vote for him in the primary, but you will know more about this than I do, so you can use your own judgment.

None of us want Mr. Hoover to get any delegates any place, since he has acted this way just to help himself politically without considering the feelings of the girls in the department, who can not defend themselves. But if you can do anything, you do as you think best.

We call these colored people Hoover's chocolates and all wish we could make him eat them.

He went into Ohio and acted so mean toward Senator WILLIS that he died, and now he wants to get all the colored votes in Indiana so he can beat Senator WATSON there.

Think of a Secretary of Commerce having to stoop to niggers to win. He has fallen short of running his own department.

We are all in politics now. Hoover's chocolates are for him strong, but the white women are not going to vote for him.

Senator, can you help us? He never showed any love for colored people before the Indiana and Ohio primaries came along. Now, the only way he can get the colored vote is by humiliating white women.

Senator, you must really do something to help us. The white girls in every department in Washington are all wrought up about this. Of course, they won't say anything, because they are afraid of losing their jobs, and they can't afford to do that.

I don't want to lose my job, so please don't use my name. I am going to sign the letter and you can cut it off if you want to.

Mr. Hoover may think this is smart politics to bring his chocolates in with white girls and women, but if he only knew what the white

women all over Washington say about it he wouldn't be so sure of carrying Ohio and Indiana with colored votes.

Thanking you for anything you do personally, and I know I speak for thousands of white women working in Washington, I remain,

Very sincerely,

Mr. BLEASE. Mr. President, the letter just read was not written by a resident of my State nor by one who has ever been a resident of my State.

I ask to have inserted along with my remarks without reading an article headed "Herbert Hoover," written by the late Senator Thomas E. Watson, of Georgia, and also an article written by Mr. G. D. Eaton.

The VICE PRESIDENT. Without objection, it is so ordered. The articles referred to are as follows:

[From the Anderson Independent (the paper the people read), Thursday morning, April 5, 1928]

HERBERT HOOVER AS SEEN BY THE LATE UNITED STATES SENATOR, THOMAS E. WATSON

Little did I think that all the fishing exploits of Brother Warren Harding, in the land of flowers, big fish, and malefactors of great wealth, would reach their climax, their zenith, their culmination, and their over-the-topism in the catching of Herbert Hoover, who was born in Iowa, California, Arizona, London, and several other notorious places.

Did several Grecian cities dispute which of them gave birth to Homer? So we are told; and we are further informed that Homer begged his bread in each of those cities.

In Hoover we see a reincarnation of Homer, but Hoover is built on a vaster scale.

Hoover begged his bread in every city of 48 States, and was born in most of them.

Hoover imagined himself to be an Englishman, and he was advertised to the heathen as a true Briton, with residence and office in London, and we benighted Americans never knew that such a queer fish was in the creek until after our patriotic son-in-law had delivered to England \$150,000,000—as a first shot at our Treasury—and we were then officially informed that a new man, named Hoover, had issued orders against our eating sow belly on the Sabbath Day; biscuits on the next day; beefsteak on the next; and had sternly commandeered our hams, our wheat, our sugar, our flour, and had magnanimously permitted it to be known that we could make flour bread once in a while, provided we mixed into it equal parts of rye, oats, barley, bran, and corn cobs.

Hoover did this because nobody else had ever done so.

Above all things, Hoover sought originality; he and another brother named Baruch.

These twins were the gemini of our zodiac.

Having requisitioned our granaries, smokehouses, larders, and sugar jars, this Hoover, Baruch, son-in-law and company, persuaded our cash out of our pockets in exchange for scraps of paper called Liberty bonds.

Oh, how rejoiced we are at the opportunity to spend our last red cent in buying paper issued in carload lots by son-in-law, Hoover, Baruch, and company!

Truly, a citizen without a Liberty bond was a man without a country.

Even the President wrote to his son-in-law asking, "May I not" buy a Liberty bond, and his amiable son-in-law accorded that precious privilege to his father-in-law.

Hoover and company issued so many of these bonds that we lost what little "sense of proportion" nature had given us.

In our patriotic haste to accommodate Hoover and his band we parted gladly with our cash, our credit, our chattels, or customary food, and our inherited notions of law.

We kept wearing our old hats for fear that if we could buy new ones they would learn our opinions, give us away, and cause us to be arrested.

Hoover got more of our money than President Wilson did, and like the President he has never made a showing of his disposal of this money.

No two men that ever lived were given the personal disbursement of such vast amounts of actual cash, and no two persons have ever shown such a determination to conceal their disposition of the public funds.

Banks have to account; railroads have to account; Secretaries of the Treasury, of War, of the Navy, of the Interior Department, of the Department of Justice have to account.

Indispensable to a legal accounting, is the accompaniment of vouchers.

Every Pullman car has its system of minute accounts; so has every hotel; so has every administrator, executive, guardian, and trustee.

In the archives of every government, ancient and modern, the historian has found elaborate accounts.

We know approximately what the Pyramids cost; we know what the palace and park of Versailles cost; we know the sums of bribes paid by the British aristocracy to the continental kings who sent conscripted or mercenary armies against the democrats of the French Revolution.

We have a minute account of General Washington's expense during the seven years of the Revolutionary War.

We can tell, within a few rupees, the cost of rearing, three or more centuries ago, the Taj Mahal, the noblest monument that a bereaved husband ever built in memory of a lost wife.

But as to the thousands of dollars confided by the American people to Woodrow Wilson and to Herbert Hoover, we have had no accounting.

The most stupendous sums of money ever intrusted to two human beings remain a mystery, national and international.

What was done with all that treasure, greater than the riches of Solomon, Croesus, of any Mogul Emperor of unpillaged Hindustan?

Nobody knows; nobody will ever know. To ask an accounting is to "malign" Wilson and Hoover.

Apply the same rule to other custodians of trust funds and where would the rule lead us?

Call the executor to settle with the heirs and you "malign him!"

Call the State or national treasurer to make a legal showing and you "malign" him.

Since when did mankind ever hear of such an impudent cloak to cover the disbursement of trust funds?

Brother Warren Harding went down to Florida to rest and fish. I don't know how much rest he got, but I can conscientiously make an affidavit to the fact that his fishing was truly rural.

Wasn't he elected as an opponent of the League?

Wasn't Hoover as much of a Leaguer as Wilson himself?

Wasn't Hoover repudiated by the same voters who repudiated Wilson?

Did not those voters elect Brother Harding?

If Hoover is to control our commerce he will inevitably control our international finance; and whoever controls that will be our boss.

In other words, have we virtually reelected Wilson?

Don't be discouraged; business is going to "revive," now, in short, as the colored brother says.

Don't worry over "new lows" in cotton; these new lows and your apparent lack of money are merely "psychological," as President Wilson once said:

"Psychologically you seem to be in a h—ll of a fix, but as a matter of fact you were never more prosperous; the daily papers are my witnesses."

Psychologically our Government takes German bonds in payment of Belgium's debt to us; and psychologically you do not seem to be able to sell our Government's own bonds at par.

Thus the Huns and the sons of guns elevate their bonds above ours.

With Hoover as our financial boss the blessed Europeans will pay us in German paper, the ten thousand million dollars that Wilson, McAdoo, Hoover, Baruch & Co. loaned to those foreigners.

In like manner the European debts due to our Morgans, Rockefellers, du Ponts, Armours, etc., may be "liquidated" in German paper.

It would never do to monetize our own bonds, but it is all right to validate German bonds.

Many timid Americans were fearful that the monetization of our bonds would flood the country with money and that our gold would run away from us.

But we hear no yells of terror when President Wilson inserts the thin edge of the wedge for all the German war paper by urging Congress to accept from Belgium this German paper as so much money.

Hoover still champions the league, as Cox did.

Hoover still indorses Wilson, as Cox did.

Hoover's appointment to Brother Harding's Cabinet followed a casual visit paid to St. Augustine by trusted representatives of the Morgan banking houses, the Standard Oil companies, and sundry other Wall Street specimens of internationalism.

Hoover himself did not wend his weary way to St. Augustine. Hoover did his fishing over the long-distance telephone, which is also a very good way to fish.

Among the various places where Hoover was born, I regret his discrimination against the South; it behooved Hoover to have recalled the fact that he was born in Charlottesville, taught school in Augusta, got religion in Texas, lost it in Missouri, and endeavored to practice law in "Ottolenter."

Hoover forgot us; Harding forgot us; they all forgot us; it's a habit they have.

We might as well have elected Cox; and had Cox been elected, he might as well have enthroned Hoover.

With Hoover on deck and the German bonds monetized and the island of Yap going to the Jap, and the kings all returning to their respective abodes, and the Turks mauling the wine out of the French and the Greeks, and the international armaments increasing day by day, and the oil of Mesopotamia pouring trouble instead of peace upon the stormy waters, I have my doubts whether the world has been made safe for democracy, especially as we are still at war with Germany, the Huns, the sons of guns.

To accept at par the paper of a country with which we are yet legally waging a Great War, while refusing to honor our own promises to you—sold at face value—seems odd.

It looks like dealing with the enemy on terms more favorable to the enemy than to the patriotic but melancholy holders of our own bonds.

As I remember the law, Uncle Sam will be violating the espionage act if he aids the enemy by accepting his waste paper as that much money.

Brother Harding, come along "back to the Constitution!"

Enough water is enough, even for a Baptist.

Enough fishing is enough, even for a sport inordinately fond of fishing.

Hoover didn't know whether he was a Democrat or a Republican; he was understood to be too good and great to find room in any party; he ran for President as a Republican, and at that time he ran in California, because he was born there and had a natural right to consider himself a favorite son.

He spent some money and he got several votes and he sang low at the national convention.

But the main campaigning has been done since the election of Brother Harding.

The public eye was filled with Hoover, his picture regularly appeared in the papers and magazines; he discovered 3,500,000 more European babes who were starving and who demanded that you send \$10 for each of them to Hoover.

"Send us no money," they said; "unbosom your purses upon the faithful Hoover!"

Rockefeller gave Hoover a million, so the papers reported.

The profiteers had the costliest banquets, in the costliest hotels, for Hoover; and they placed near Hoover's table an empty chair and an empty plate for the European babe who had been starving, Hooverishly, for months.

The empty chair now has its occupant, the empty plate is now full; Hoover has angled for the angler, and Hoover's hook did the work.

When Hoover labored under the impression that he had been born on the Pacific slope and cast his bread, as it were, upon those waters he did not catch anything of importance, but when he transferred his birthplace to the Atlantic coast and changed his bait he hooked and landed a whale.

"I repeat it, sir," little did I think that Brother Harding's rest and his fishing would culminate in this Hoover agreeable surprise.

EX CATHEDRA

By G. D. Eaton

THE HEART BENEATH LEGREE'S SHIRT

It is a curious thing that of all the books written on the Civil War and its causes, none—at least none of the several hundred I have read—pays any considerable heed to the effect of the unfair stories of cruelty spread broadcast by the abolitionists, starting from the time that this country established its independence and continuing until Fort Sumter was fired upon. And yet, from reading some thousand pamphlets, I am convinced that the Civil War was brought about by an organized minority of busybodies, engaged in spreading stories, often untrue or exaggerated.

Certainly level-headed and sagacious leadership could easily have avoided the Civil War. The simplest solution would have been the purchase of all slaves by the Government, even at as much as a thousand dollars a head. This would have been twice the average price of the slaves and would have won over the southern planters. It would have cost the Nation in all but three and a half billion dollars, whereas the Civil War cost at least twenty billions—we are still paying for it—and a half million lives. But the sad fact remains that the Federal Government was never allowed to offer any definite sum of money per head for the slaves. Indeed, it was written in the abolitionist code that manumission must be effected only by "immediate and unconditional" emancipation, in sad contrast to the liberation effected in the West Indies by the British emancipators. In the West Indies the slaves had their freedom bought by the English Government.

The whole crusade in America began with efforts of churchmen in the North diametrically opposing the plenipotentiaries of heaven in the South. Actual consideration for the condition of the slave was negligible, as treatment of negroes in the North to-day makes obvious. Such treatment is nothing new. If there were race riots in Detroit yesterday and in St. Louis the day before yesterday, so there were riots in Portsmouth, Ohio, in 1830; in Hartford, Conn., and Providence, R. I., in 1831; three in Philadelphia in the years 1834, 1838, and 1843; in New York in 1834; in Pittsburgh in 1839; in Cincinnati in 1827, 1836, and 1841. In almost all cases the negroes were driven out of town by the hundreds.

In New York negroes were not permitted, except nominally by the courts, to ride in the horse cars with the whites. The negroes in Northern States were put in jail upon every possible excuse. In 1850 we find (United States census) that 1 negro out of every 175 went to jail in Massachusetts, while only 1 white man out of every 2,335 was incarcerated; in New York it was 1 negro from 225 and 1 white out of every 1,713, and in New Jersey it was 1 negro from every 453 and 1 white out of every 3,554. Between 1700 and 1718 we find that there was but one crime in Pennsylvania for which whites could be

executed (murder), and four for which negroes might be executed (murder, burglary, rape, and arson).

In almost no northern State was the free negro allowed the franchise, while, contrarily, he exercised civil rights in some Southern States until 1831, when abolition tracts fired off some murderous slave insurrections. Thus we see that Connecticut disfranchised free negroes in its constitution of 1818; Rhode Island in 1822; Ohio in 1803; Indiana as late as 1851; Illinois in 1819. Other States, such as New York, forbade the negro the franchise unless he could show property worth as much as \$250. On the other hand, North Carolina did not disfranchise the free negro until its new constitution in 1835, after the South had been terrorized by brutal slave rebellions.

Actual compassion and sympathy for the negro in the North? Nonsense! It existed practically nowhere. As Mr. Dooley has said, "I've seen th' shackles dropped fr'm th' slave so's he cud be lynched in Ohio."

The Northern States generally barred, as I have shown, negroes from the elective franchise before the Civil War, but even after Appomattox 15 Northern States voted negatively on negro suffrage and the fifteenth amendment had to be rammed into the Northern State constitutions by the acts of the legislatures. Even in such States as popularly approved negro suffrage the measure came about with a great deal of friction.

Minnesota presents an interesting and somewhat risible example. In both 1865 and 1867 the sovereign people of the State downed negro suffrage by popular vote. Then the Republican Party leaders, getting busy, took census of the negroes and caused the result to be widely broadcast. There were but 411 negroes of both sexes and all ages in the State. In 1868 a third plebiscite made the negro a voting citizen. The fifteenth amendment was virtually railroaded through, to the vast delight of the carpetbaggers and to the consternation of some bona fide Republicans in the North. Senator Wilson, of Massachusetts, rising in the Senate Chamber in Washington on January 28, 1868, lugubriously explained that espousal of negro suffrage had cost his party not less than a quarter of a million votes.

Basically not one one-hundredth of the northerners cared the least about liberating the negro, and even honestly furious reform movements encountered tremendous resistance. In the words of William Lloyd Garrison, in the initial number of the *Liberator*, January 1, 1831, his efforts in the North met "contempt more bitter, opposition more active, detraction more relentless, prejudice more stubborn, and apathy more frozen than among the slave owners themselves," though perhaps he forgot the time (unmentioned in history books) when he was juggled in Baltimore for a libelous attack on a slave owner.

Fewer than half the newspapers in the North were antislavery, and the moneyed people in the North were almost to a man against abolition, the New England mill owners especially laboring under the belief that slave labor kept down the price of raw cotton. When Garrison got a little overzealous in Boston they had him mobbed and dragged through the streets. But the rich were far from being the only ones against abolition.

Everyone knows what happened in New York City when conscription became active. Horace Greeley's emancipating *Tribune* was almost wrecked and a wild mob took charge of the city. A negro orphan asylum was burned, with the loss of many lives, and adult negroes were strung up on lamp-posts. It took a regiment of Infantry to pacify the city, and then only after a pitched battle in the streets.

All the antislavery movements of early date were launched by religious sects. The first was set going by the Quakers, but it came out of common decency, was honest, and never assumed a virulent form. Nor did the South ever regard the Quakers as enemies. The Quakers spent much actual money, not in helping negroes to escape illicitly from their masters, but to transport free negroes and in bringing suits, where necessary, to guarantee freedom to slaves already manumitted. They preached emancipation, but they lived, hundreds of them, in Virginia and North Carolina in peace and friendliness with their slave-holding neighbors.

But the South did not look upon the efforts of other sects as being sincere. When not only slavery was attacked, but also southern customs, family life, and morals, there was distinct resentment, which ripened into hate after the slave rebellions.

The first violent effort to free the slaves was launched in Baltimore at the first national conference of Methodist leaders in 1780, and was thereafter kept going hotly. This was abetted by the Presbyterian Synod in 1787. The Baptists became active and shortly thereafter the Congregationalists at their Hartford convention added slavery to the vices of "profanity, Sabbath breaking, use of intoxicating drinks, covetousness, gambling, breaches of the Seventh Commandment, attendance upon the theater, dancing, gayety and extravagance in dress, novel reading, and sleeping in church." It is interesting to note that the southern planter had been indicted for almost all of these crimes against Heaven before Congregationalist action was taken against slavery.

We have reason to believe that early abolitionists thought southern gentlemen were having too easy a time of it sipping toddies and having oriental relations with the females of the toilers while the negroes

did the work. Back of all the northern dislike of the southerner's aristocracy was rancor because the latter had the means to be aristocratic in habits, tastes, and pleasures. It was not North against South, for sectionally the North was much more wealthy, but individual blue-nose against southern cavalier. In some cases this feeling was naively expressed, as in *The New Revolution*, a speech before the American Antislavery Society in 1857 by Thomas Wentworth Higginson:

"The reason why free-State and slave-State men hate each other in Kansas is because all the institutions of their respective nations [sic] have for years been training them to hate each other * * * It is only the old hostility. * * * It is not only the difference in birth, although the Puritan stock remains upon the one side and the cavalier stock upon the other. * * * You may know the one side from the other because the one side wears long hair and the other does not."

While the North's hay crop alone represented as many dollars as all the southern agricultural products, the South had three times as many exports; and the money accrued neither to the slaves nor hill-billies, but was concentrated in the hands of less than one-twentieth of the South's total population. The North produced more than twice as much from the land—with only two-thirds the laborers—and industrially and financially the North was far ahead. It used five times as much private capital, although there came a distinct rub in the fact that this capital represented much money from southern banks, for the bank capital of the North was only twice that of the South.

As seen by the excessively smaller number of men on the farms, the North had already learned the vastly more efficient system of hired workers; and though industrially it produced five times as much as the South, it employed only four times as many men in the factories. The South was waking up to the merits of wage slavery when its progress in this line was blocked by the efforts of abolition propaganda.

There were moneyed men, needless to say, in the North; but they did not appear so aristocratic and enviable to their laboring constituency because of two things: In the first place, they had no real talent for ease and luxury; and in the second place and partially in consequence, their earnings went into an expansion which knows a far larger place in industry than in agriculture. Besides the northern preacher could not attack the northern man of wealth with impunity. Nor was there the incentive. The northern man of wealth was staid and a church-goer, while the southerner coruscated and went to the race track and theater.

Besides the South's capital there was enormous wealth represented in the slaves themselves. In 1850 the slaves numbered 3,200,000. Their average value was about \$400 or \$500 each, although the abolitionists rated them all at the price of a good field hand, or \$1,000 each.

How may we account for the atrocity stories spread by abolitionists of the planter's physical cruelty to the slaves? In the first place, it is a mistake to assume that the southern planters treated the blacks worse than they did their horses and cattle, except in the matter of passing restrictive laws—following the slave insurrections—against certain negro activities wherein the activities might differ from those of the other livestock. But the South had other laws. Louisiana, for instance, said that slave mother and child—10 years or under—might not be separated on pain of a fine of from \$1,000 to \$2,000 and imprisonment of six months to one year, and forfeiture of the slave.

Alabama had a similar law. Virginia said (Fitzhugh et ux. v. Foot et al., 3 Vall's Va. Rept. 13) that separation of mother and child was a thing "which humanity forbids, and will not be countenanced in a court of equity." Maryland forbade the separation of legal husband and wife in slavery; and even Georgia, the worst of the slave States, had strict laws against cruelty.

These things were ignored by such writers as Harriet Beecher Stowe, and the whole range of abolitionist books and pamphlets is filled with outrage stories. Thousands of poor people in northern cities were in a plight far more desperate than that of the slaves whose masters were forced by law to feed them well, not overwork them, but give them medical attention, clothe them, and furnish them lodging.

Maryland as early as 1715 (laws of 1715, ch. 44) stipulated a fine of 1,000 pounds of tobacco for cruelty, excessive labor, insufficient food, drink, lodging, or clothing, or for insufficient rest or sleep; and later forbade slaves being worked on Sunday, which rule prevailed all over the South, as did laws against cruelty or impoverishing treatment. Indeed, many States provided (Kentucky, for instance; Morehead & Brown's Digest, Frankfort, 1834) that the master be deprived of his slaves at forced sale if he treated them cruelly or did not take care of their wants.

Louisiana said (Markham v. Close, Sept. T. 1831, 2 Louisiana Rept. 581, Porter, J.): "Infliction of cruel punishment on the slave by his master is a criminal offense and must be punished by a criminal prosecution and not before a civil tribunal." (The slave did not have to bring suit to obtain relief.)

Georgia (Cobb's Digest, Athens, Ga., 1851, p. 971), in an act of May 10, 1770, limited by "positive laws the extent of power of the owners of slaves * * * and owners or persons having the care and management of slaves" from exercising "excessive and unnecessary

rigor or wanton cruelty." Murder of a slave (December 3, 1799, sec. 2) was to merit "the same mode of prosecution and measure of punishment" as for killing a white man—a law that held true in all Southern States. In 1832, by the act of December 24, Georgia provided and established an infirmary for the relief and protection of aged and afflicted negroes and provided that masters could no more escape the cost of slave upkeep in the institution than they could evade taxes on their land.

South Carolina (1 Nott and McCord's S. C. Rept. 182 Per. Cur. Colcock, J.) held that "a slave who is merely flying away can not be killed" except by the master or pursuer in an act of self defense.

I might go on quoting statutes and decisions endlessly to show that there was a wide range of protection for the negro—and be hauled up by some astute person inquiring how the laws and statutes were interpreted and enforced. This is a pertinent question, for in going over some thousand decisions I have found a number of cases wherein the jurists either did not know the law or purposely misconstrued it to the benefit of the slave owner rather than the slave, but the latter cases occur with greatest frequency after the slave insurrection crisis of 1831, while on the other hand there are a large number of cases which show such a startling liberality of the jurists so favoring the slaves that their decisions were equally bad law.

In Virginia, for instance (Souther v. the Commonwealth), an eminent and humane jurist with a real sense of values got into bad law because he ruled: "The killing of a slave by his master and owner, by willful and excessive whipping, is murder in the first degree, though it may not have been the purpose and intention of the master and owner to kill the slave." Here is plainly faulty law—though sound sense—and the jury did rightly (in the legal sense) in bringing a verdict of manslaughter, with a minimum penalty of five years. However, the intent of fairness on the part of the judge is evident.

Cruelty, when one considers the number of slaves, was extremely rare, and actual cases were so infrequent that they altogether escaped the notice of the abolitionists, who were forced to invent such cases. It was in general in the South a despicable social misbehavior to mistreat slaves, and not only to mistreat them but to sell them "down river." The slaves in the border States, eating masters out of house and home, were very often manumitted rather than sold. Maryland, in 1850, had 74,000 free negroes—more by 20,000 than any free State.

Most of the abolition stories of cruelty appear now to be foolish. As I have shown, by comparison of northern and southern products, the slave was not worked as hard as the hired laborer—chiefly because the slave and his family did not face starvation either by indigence or competition—but stories were told by abolitionists to the effect that planters hitched slaves to plows, despite the fact that it would take six healthy field hands worth \$1,000 each to do the work of one horse worth \$100. Almost every abolition story, in fact, must be taken with a grain of Epsom salts. The great bulk of the cruelty stories were pure fabrications, sans names, dates, and locale. I have chased hundreds of these tales to earth, and of authentic cases of cruelty I have found not a dozen. These the abolitionists used over and over again, sometimes almost 50 years after the act.

One finds, for instance, the Rev. John Rankin, in a series of letters to his brother, Thomas, published in *The Liberator* during the year 1832, quoting a case of cruelty, sent second hand to him by the Rev. William Dickey, of Bloomington, Ohio. The case was authentic. Lilburn Lewis and his brother, Isham, said to be nephews of Thomas Jefferson, planters in the county of Livingston, Ky., cut off the feet and legs of a living slave and burned the members before the slave's eyes, afterwards dispatching him and burning the rest of the body. What Rankin neglected to mention and what Dickey neglected to mention, when he used the material over again in the American Anti-Slavery Society's report of 1839, was that the business happened back in 1811; that Lilburn Lewis committed suicide to escape trial and that Isham was sentenced to hang for the crime. Thus both Rankin and Dickey gave the impression that the South tolerated such things, and by their omission of the date gave the appearance of freshness and everyday occurrence to the business, whereas the Lewis brothers were plainly men of the Loeb-Leopold type and were quickly brought to dock.

Rankin used this material over and over again; from his pulpit, then in *The Liberator*, before the American Anti-Slavery Society, and in a volume of his "letters."

One other authentic case of cruelty, also committed by a mental degenerate, was that of Madame La Loire (sometimes reported as Madame Laurie) in New Orleans, who beat and mauled a number of slaves and chained them in a room to die. This happened in the year 1834, and the whole South was outraged by the affair. Nevertheless it was held against the South by the abolitionists. We find the Rev. Philo Tower of the Genesee Conference of the Methodist Episcopal Church in his *Slavery Unmasked*, a book published in 1856, reciting the affair as if it had just happened, and, moreover reporting it as practically first hand, plagiarizing word for word from the American Anti-Slavery Society's report of 1839, which, curiously, repeated verbatim the account from the New Orleans Mercantile Advertiser—except that Tower withheld Madame La Loire's name. Mrs. Lydia Maria Child used the story in her intemperate Anti-Slavery Catechism.

In the main, the authentic documents used by the abolitionists were confined to advertisements from southern newspapers listing runaway slaves and naming their various distinguishing marks and scars—such marks and scars as often adorn the free negro of to-day. Yet the United States census of 1850 shows that only one-thirtieth of 1 per cent of the slaves annually ran away with any idea of staying away permanently, and the census for 1860 shows a reduction to one-fiftieth of 1 per cent. Fully a third of these runaways were chronic offenders. In 1850, for instance, out of 3,204,313 slaves only 1,011 were fugitives, while 1,467 were voluntarily freed by their masters. The number of manumitted slaves up until 1831 was always many times that of the fugitives—a fact not mentioned by the abolitionists.

The South has never, so far as the histories are concerned (even her own), had a fair and truthful statement about the real causes of the Civil War nor of the institution of slavery; nor were the lies about cruelty ever nailed. (Reprinted by request from McNaught's Magazine. Two more articles from the same series will appear in early issues of Plain Talk.)

Mr. BLEASE. Mr. President, there has been some talk of the solid South being broken; there has been some talk to the effect that if a certain person were nominated for President of the United States the South, which has always stood for white supremacy, placing it above every other consideration almost, except possibly the Christian religion, might support the Republican ticket. In the South we believe that white supremacy is a part of the Christian religion, that the white people are superior to negroes, and we never expect under any conditions or circumstances to permit social equality in that section of the country; but, Mr. President, if such a condition as has been produced at Anderson, S. C., by one Mr. Harry S. New is continued, and if such a policy as has been started by Mr. Herbert Hoover is to be put in operation, those who have been sleeping in their beds at night and waking up in the morning with the happy thought that the South will ever have a respectable Republican Party had just as well go back to bed and stay there, because no such condition will ever arise.

Just after the Civil War there came into the State of South Carolina a set of scallawags and they were imported into the entire South. They appealed to the negro vote, as Herbert Hoover has done in this instance; they humiliated white women and white men until the red shirt of Democracy arose and drove them from their borders.

A few weeks ago the Republican administration took a citizen of Savannah, Ga., imported him into the State of South Carolina, and appointed him acting postmaster of the city of Anderson. A protest was made to the Post Office Department and to the President of the United States, but nothing was done. Finally, Mr. President, it was proven to them beyond a shadow of a doubt that this man was a citizen of Savannah, Ga., a fact which was sworn to by himself, as will be found in his affidavit on page 3249 of the CONGRESSIONAL RECORD of February 20, 1928, where this man swore as follows:

I further swear that I reside in the city of Savannah at No. 220 East Forty-fifth Street, or in the fourth district, G. M.; my age is 26; my occupation is none.

No occupation. There is his own affidavit, signed and sworn to, and, as I have stated, it will be found on page 3249 of the CONGRESSIONAL RECORD of Monday, February 20, and it is dated April 1, 1927, one year ago exactly.

After that affidavit was called to the attention of the President of the United States and the Post Office Department, it was currently rumored, and I am informed to-day that it is the purpose of the Post Office Department to keep this man in that post office as acting postmaster until he becomes a citizen of South Carolina, and then to appoint him postmaster.

That, Mr. President, along with Hoover's action with his "black chocolates," is exactly what put the Republican Party in disrepute in the South and made the very name Republican a stench in the nostrils of all decent white people. Is that to continue? It is continuing.

Mr. President, I wrote a letter to the Civil Service Commission, and the answer which came to me is based upon as false a premise as ever a letter was written upon. When I asked the Civil Service Commission about this matter—I have here the letters—they made an investigation. Here is Doctor Doyle's letter, in which he says that they have discovered that this man was not a resident of South Carolina. Notwithstanding that fact, however, and notwithstanding the rules of the department that no man shall be appointed to a post office unless he has resided for two years at the place where the post office to which he is to be appointed is located and has received his mail at that post office they put him in there and keep him there.

It is said:

We have made an examination. Now we have had notices posted that we are going to hold an examination for postmaster.

But they are holding that examination back for the purpose of letting this man become a citizen of South Carolina.

Mr. President, the constitution of South Carolina is very plain on the subject. I wish to read just a line. Here is what constitutes a citizen of South Carolina:

Residence in the State for two years, in the county one year, in the polling precinct in which the elector offers to vote four months, and the payment six months before any election of any poll tax then due and payable.

The rules of the Post Office Department themselves are being openly and flagrantly violated to-day by President Coolidge and his Postmaster General by putting this man, a citizen of Georgia, into a post office at Anderson, S. C., and keeping him there. Why? Because, as I am informed, the patronage boss of South Carolina has been told that this man will do his part in the payment of money for the Republican campaign fund.

In passing I might state that just a few days ago a rural carrier in my State was approached by a negro delegate to the approaching Kansas City Republican convention and told that if he did not help pay the expenses of that delegate to the convention he would lose his job. The rural carrier told him he would be damned if he would do it, and in five days after that he lost his job, and is out of his job to-day. I can prove that at any time the Post Office Department or Mr. Coolidge wants the proof. I myself will pay the man's way here to prove it, if that be necessary.

I wrote a number of letters in regard to this matter. What answer do I get?

We are having an examination made but it will take us several weeks—

Several weeks—

to settle the question.

They have been three months now in an effort, as they claim, to settle it. They can not settle it, because one Joseph W. Tolbert, or his agents—and Harry New knows it, and Attorney General Sargent knows it, because I told him so to his face—is receiving money from the postmasters in South Carolina, possibly not for his own use; and that is how they are holding their jobs. I hope the resolution which has been offered by the Senator from Georgia [Mr. GEORGE] will be adopted by the Senate, and I hope the scope of the investigation proposed by that resolution will be broadened so as to include South Carolina.

In my reply to a letter which I wrote to Mr. Everett Sanders, he wrote me from the President's office a beautiful dodge.

I want to read first a letter written by John H. Bartlett:

DEAR MR. SANDERS: Senator BLEASE, it would seem, must be laboring under some misapprehension of fact in this case. I get this impression from Senator MOSES, with whom I talked this morning.

The truth is that when the postmaster died on December 27, 1927, it seemed to be the proper thing to do in the emergency to appoint his son acting postmaster.

This was a boy whose father and mother separated when he was a little boy. The mother took the son and went to Savannah, Ga., and I do not think he often saw the father afterwards. The boy lived in Savannah with his mother, went to school in Savannah, made Savannah his home, and possibly went to Anderson two or three times in his entire lifetime to visit his father. Even when his father was down on his sick bed he did not go to see him, so I am informed; but after he died this boy was imported by Harry S. New and Calvin Coolidge from Savannah, Ga., to Anderson, S. C., like they did in the days of the scallawags and the thieves, and made a postmaster in my State. And this was done on recommendation of National Committeeman Tolbert. A civil-service examination is being held—

That was absolutely not true, and the records of Doyle's office and Bartlett's office both show that no such examination was held or has been held.

Now, listen to this:

The son is ineligible for the examination under the civil-service rule, being under 30 years of age, which is the civil-service requirement in this class of office.

The rule as to nonresidence has never been held to apply to an acting postmaster. * * *

But this young man, about 27 years of age, was born and brought up in the town of Anderson—

That is as black a lie as ever was written on a typewriter, if John H. Bartlett did sign it—
and I think he claims it as his residence.

Yet, Mr. President, while he thinks he claims it as his residence, here is the man's affidavit, sworn to in April, 1927, just about six months before he was appointed postmaster at Anderson, in which he swears that he was a resident of the city of Savannah, Ga.; gives the number of the house and the street where he lives, and says his occupation is "none." Bartlett knew that when he wrote that letter, because I had so informed him; and yet he puts his name here to something which he knows was a falsehood, and I will prove it by his own records directly.

He is unmarried, as I understand it—

A man who had no occupation ought to have been unmarried, I certainly think; he deserved to be—

and has for a few years been getting his living in other parts.

If he had been getting his living in other parts, how could he be a resident of Anderson?

He may be a resident of Georgia, but, as I said before—

Listen, now—

he came home upon the death of his father—

Just as I said; he came to see his dead body put away and get the job—

and it was quite natural that he should pick up the post-office situation that his father was in and go along with it temporarily.

Quite natural! In the case of a man from another State, who has been gone from his father for years, had not lived with him since his babyhood, it was "quite natural" that he should come out of another State and go into your State or my State and be appointed postmaster! I suppose if the postmaster at Portland, Me., had a son down in Florida, who had not seen him in 20 years, 5 years past 21 years of age, and the postmaster up in Maine should die, and this boy from Florida should go to see his daddy buried, he should be appointed postmaster in Maine! Yes; you would see Calvin Coolidge making a southern postmaster in Maine!

He says:

I think Senator BLEASE will see this situation and accept it.

I will accept it, Mr. President, just like the South suffered such actions as this in the face of Federal bayonets in a Yankee camp. I will never submit to it as long as I can help it, and my people are not going always to submit to it. They are very long-suffering; they will suffer a long time, and they will go a long way; but there is a time to stop, and that time may come; and, if it does, Calvin Coolidge and Harry S. New will be responsible for its coming.

Since his appointment as acting postmaster, we have gotten telegrams from the mayor of the city * * * asking that he be made the permanent postmaster.

The mayor of the city! The mayor of the city married a sister of the dead postmaster, who is the own uncle of this boy. A nice recommendation, from his own uncle! He happened to be mayor of the city of Anderson, and he asked this boy from Savannah to be brought over there, I suspect to keep his mother from having to keep him, as he says he was a loafer, "occupation, none," he swears; 27 years of age. That is his recommendation—his uncle, the mayor.

Mr. President, further, Mr. Bartlett says:

The civil service list should be out in a very few weeks, and it doesn't seem reasonable on the facts to put the son of the deceased postmaster out as acting postmaster and put another in.

I trust this is a satisfactory explanation, but if it is thought that we should change him as acting postmaster in view of the situation, we can readily do so.

I wrote back and asked them to do so; and the result has been that they have kept him there nearly the four months required for being a resident of the ward in which he lives, hoping to keep him there until the Senate adjourns, and hold him in there until next December, when his year will be up, and then claim that he is eligible, and make him the permanent postmaster.

Herbert Hoover, from England, with his monocle, will never break the solid South by putting "chocolate drops" in the same water-closet with young white girls, nor will Harry New do it by bringing people from other States into the Southern States to hold their offices.

You gentlemen kicked this Georgia judge out down here, or you would have kicked him out—they pulled him out to keep you

from doing it—when they imported him into Georgia to make a judge out of him. Now, why should they import a man out of Georgia into my State, and give him one of the finest positions in it, when we have right in that town plenty of people who are thoroughly competent to take it, and it might be possible that they could find one of their own kind?

Mr. President, I wrote to the President of the United States in regard to this matter. I do not care to take up the time of the Senate to read all these letters, but I do want to give here the substance of my reply to my friend Mr. Bartlett:

This letter of February 14, to the Hon. Everett Sanders, Secretary to the President, was handed me upon my return from South Carolina. It is really amusing, and I might say, but I won't, shows a thorough ignorance of the facts in the Anderson postmaster situation.

John R. Cochran, who was postmaster at Anderson, and died recently, was born and reared in Anderson, S. C. He married a Georgia woman. For some reason—I do not care to go into details—he and his wife were separated and did not live together for years before his death. Neither were they living together at the time of his death.

She went back to her people in Savannah, Ga., and carried young John Cochran, the now acting postmaster, as a child with her. He was reared in Savannah, lived and schooled and worked in Savannah. I have two oaths made and signed by him that he was a citizen of Savannah and a registered voter there, having registered in 1924 and again in April, 1927.

See page 3249, CONGRESSIONAL RECORD, February 20, 1928.

He swears in these affidavits that he is a citizen of Savannah. I hope he is not a perjurer, but if he is not a citizen of Savannah he is a perjurer, according to his own two signed and sworn statements.

He had not been in Anderson for some time before the death of his father and only went there upon being informed that his father was dead; and while there was picked up and made postmaster, which I consider an outrage upon the people of Anderson and the State of South Carolina.

I suppose from this letter that if a man was postmaster in New York and had a son living in California, and the New York postmaster died and the son went over to see his daddy buried, he ought to be picked up and made postmaster. I do not see it that way, General.

Now, as a matter of fact, the Civil Service Commission has found that Cochran is not a resident of Anderson and has not received any mail there in the last three or four years, if ever, and they have reported him ineligible even to take the examination, so where is the claim that he is a citizen of Anderson?

This letter says: "It seems to be the proper thing to appoint his son as acting postmaster," notwithstanding the fact that his son was a voting citizen and resident of another State.

The letter says, "He claims he is a resident." How can he so claim this, with the two affidavits hereto attached, swearing that he is a citizen of Savannah and getting registration certificates to vote there?

The next statement is laughable: "He came home upon the death of his father, and it was quite natural that he should pick up the post office. * * *"

The letter says you have a telegram from the mayor of the city, saying he will make a good postmaster. The mayor of the city is his uncle.

Now, Mr. President, it is common talk around that town, and I believe it, that the Post Office Department is endeavoring, as I have said, to hold this man there until he becomes a citizen. I introduced in the Senate a resolution upon this very question. I introduced in the Senate a bill upon this question. The bill is in the Post Office Committee, I suppose, quietly laid away. The resolution, I suppose, is somewhere in the same condition; but I did not propose to sit here longer and allow this man to sit in that post office as acting postmaster without calling the attention of the Senate to the fact that the President of the United States and the Postmaster General of the United States are both violating the laws of the Nation, as stated by the departments themselves, in holding a man in this post office in violation of two of the principal rules of the department.

Mr. President, this is not a personal matter. I do not know this boy, and have nothing in the world against him. He may be all right. I am fighting the principle involved. This situation was not brought about by me, and therefore, whatever the result of it may be, the blame must fall where it belongs, on the party attempting to humiliate my State by importing a man from another State to hold office in it.

Mr. President, as I said, I do not care to take up the time of the Senate; but I ask permission to have published in the Record certain letters and telegrams which passed between myself and the Postmaster General and the President of the United States, and letters which they wrote me in reference to

this matter, in order that the entire situation may be fairly and clearly understood, together with two newspaper clippings and two documents relating to the same subject.

The PRESIDING OFFICER (Mr. COUZENS in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

WASHINGTON, D. C., January 5, 1928.

Hon. HARRY S. NEW,

Postmaster General, Washington, D. C.

MY DEAR GENERAL: I am inclosing you copies of some telegrams which is evidence that John R. Cochran, just named by you as acting postmaster at Anderson, S. C., is a citizen and a registered voter of the city of Savannah and the State of Georgia, and not a citizen or a resident or even a taxpayer in the city of Anderson, the county of Anderson, or the State of South Carolina, and I request that you withdraw his appointment as acting postmaster, as I most seriously protest the transporting from another State a man into my State to fill such office.

With my kindest regards,

Very respectfully,

COLE L. BLEASE.

WASHINGTON, D. C., January 5, 1928.

Hon. HARRY S. NEW,

Postmaster General, Washington, D. C.

DEAR GENERAL: Further in reference to appointment of John R. Cochran as postmaster at Anderson, S. C., I am reliably informed that Mr. Cochran was in the insurance business in Savannah, Ga., for several years up to a very recent date; that before he went to Savannah he had made his home in Alabama and Maryland. I would like to know if it is going to be the policy of the department to take citizens from other States and appoint them postmasters in South Carolina. I would like to have a positive and definite answer on this question, as I am frank to say that if such is the purpose, I propose, as a member of the Senate Post Offices and Post Roads Committee, to introduce a bill prohibiting such tactics. South Carolina suffered a long time from scalawag and carpetbaggers and I do not propose to see that history repeated if I can prevent it.

With my kindest regards,

Very respectfully,

COLE L. BLEASE.

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., January 7, 1928.

Hon. COLE L. BLEASE,

United States Senate, Washington, D. C.

MY DEAR SENATOR BLEASE: With further reference to our telephone conversation concerning the appointment of an acting postmaster at Anderson, S. C., I would state that the circumstances are as follows:

The postmaster at Anderson, John R. Cochran, died, making it necessary to appoint an acting postmaster at once. Mr. John R. Cochran, Jr., the son of the postmaster, was recommended and was named as acting postmaster until such time as an examination conducted by the Civil Service Commission and inquiry by the Postmaster General might develop a proper person to name for the regular appointment. Young Mr. Cochran was notified to this effect and his bond sent to him.

It was not until after all this had been done that the case was brought to my attention, which was by your call over the telephone. The matter had arisen and pursued the regular course as a matter of routine and exactly as such cases are always treated. Immediately following your conversation I asked the First Assistant's bureau the status of affairs and learned that Mr. Cochran's bond had already been sent to him in order that he might take charge of the office. It was, of course, obviously necessary that some one must be placed in charge.

I also wrote to Mr. Joe W. Tolbert telling him of your telephone call to me. I am this morning in receipt of a number of telegrams addressed to the Postmaster General, one of which is from the mayor of Anderson, Mr. Foster Fant, which I quote:

"The citizens of Anderson heartily approve the appointment John R. Cochran postmaster.

"FOSTER FANT, Mayor."

Also one from Wilton E. Hall, editor Anderson Daily Independent, which I also quote:

"As editor of Democratic newspaper here, I respectfully indorse the nomination of John Cochran, Jr., for postmaster at Anderson, S. C. Although he has been away from this city attending college and touring Europe and working in other cities, he has always regarded Anderson as home and his forebears maternally and paternally have been native Andersonians back to the sixth generation. Andersonians prefer Cochran over and above any Republican here. Local post office organization and 90 per cent of patrons of office would indorse Cochran, in my opinion. I trust you will present nomination of Cochran."

You will, of course, understand that this department not only does not want to appoint some one who is not a citizen as postmaster at any given point but, in fact, that it can not do so under the law

which requires two years' residence within the delivery limits of a post office to make a man eligible for appointment. The question of an individual's residence is one that would be determined by the Civil Service Commission in examining the qualifications of applicants for appointment.

Before the matter had been brought to my attention at all it had reached the point where Mr. Cochran had, in the due and regular course of departmental procedure, been designated to have temporary charge of the office at Anderson.

It is understood that this matter is temporary and nothing more. An examination will be asked for at the hands of the Civil Service Commission, which it will be asked to expedite, and no appointment of a postmaster can be made except as the result of this examination. You will be given every opportunity to express your opinions and desires with reference to the regular appointment.

I regret that you did not bring the subject to my attention earlier, but I trust that the foregoing explanation will be satisfactory.

Sincerely yours,

HARRY S. NEW, Postmaster General.

WASHINGTON, D. C., January 9, 1928.

Hon. HARRY S. NEW,

Postmaster General, Post Office Department,
Washington, D. C.

MY DEAR GENERAL: You and I have been too good friends to fall out over a small post office or, in fact, anything else, and we are not going to fall out, and the little difference between us about the Anderson post office can, I think, be pleasantly settled; but I call your attention to some matters which possibly you have not thought of.

If an attempt is made to appoint a person, totally disqualified, either as acting postmaster or postmaster, and he takes charge of the office, is he responsible for his acts while he is disqualified and ineligible?

If a person totally disqualified gives bond, can he take the oath of office without committing perjury, and is his bond legal; and could he and his bondsmen be held liable if there should be irregularities?

Can a person, absolutely disqualified under the statutes of the United States, hold an office and exercise the duties thereof, even though he is commissioned to do so by the properly legally constituted authorities? For instance, suppose that the governor of a State, in case of a vacancy in the United States Senate, were to commission a man under 30 years of age, could he take the oath of office? Is he a United States Senator, although he held a commission of the governor? Mr. VARE, of Pennsylvania, and Mr. Smith, of Illinois, have commissions as United States Senators, but they are not.

Did Mr. Cochran, at Anderson, take an oath before he assumed his duties as postmaster? If so, did he swear that he was a citizen of Anderson?

Is it a fact that since his attempted appointment he has applied for registration in the county of Anderson and has been refused because he can not take the required oath?

It is said that intent governs in these matters. True. But acts seem to me to show intention better than words, and this young man freely, voluntarily, and without compulsion, dread, fear, or threat, registered in the city of Savannah, Ga., exercised his citizenship and suffrage in that State, and when he left there in 1927 went to the State of Alabama and took charge of a bottling plant.

Does that look like that he intended to make South Carolina his home? And doesn't it show that he intended to change only after his father's death, and then because he wanted his father's position? He went to Anderson only to the funeral, where he has not been for years past except occasionally on a visit.

I call these matters to your attention, hoping that you will not let this young man stay in that post office, and, if you do, his individuality in the matter is going to be a small item in comparison to the political situation that it is going to create not only in South Carolina but here in Washington, D. C.

I assure you again of my kindest regards and best wishes.

Very respectfully,

COLE L. BLEASE.

P. S.—It might not be amiss for me to call your attention to the fact that the mayor of Anderson is an uncle of Cochran, and could hardly be expected not to indorse him, regardless of politics, and possibly he did not know that Cochran was a registered citizen and voter of Savannah, Ga.

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., January 11, 1928.

Hon. COLE L. BLEASE,

United States Senate.

MY DEAR SENATOR: I am very glad indeed to have your letter of the 9th. I again assure you that I have every disposition to ultimately adjust the matter of the Anderson postmastership in a manner that will be satisfactory to you.

There was certainly no reason for this department to do otherwise than to proceed upon the theory that the son of the man who had been a long-time postmaster at Anderson was in all respects qualified to carry on the office. The death of the postmaster made it necessary to put the office under some one's management temporarily at once and the matter had progressed beyond the stage where it could be stopped before I had your letter. An examination for the creation of a list of eligibles has already been asked for at the hands of the Civil Service Commission and the time for closing applications fixed at February 7. When we get this list we can proceed to a permanent adjustment.

Sincerely yours,

HARRY S. NEW, *Postmaster General.*

WASHINGTON, D. C., January 13, 1928.

HON. WILLIAM C. DEMING, *President*, HON. GEORGE R. WALES, and HON. JESSIE DELL, *Commissioners*,
Civil Service Commission, Washington, D. C.

GENTLEMEN: Mr. John R. Cochran, who has just been appointed acting postmaster at Anderson, S. C., is not a resident of the city of Anderson and is only 27 years of age. I presume he will be a candidate for the office, as I notice you have called for applications to be filed on or before February 7, 1928.

I am writing this to call your particular attention to the fact:

First. That the law requires that a man shall be 30 years of age to hold a post office like that at Anderson Court House, S. C. Mr. Cochran is only 27.

Second. That the law requires that a man shall be a resident of the town in which he is to be postmaster for two years previous to the time of his taking charge and must receive his mail there.

Mr. Cochran is a registered voter in the city of Savannah, Ga., and does not, and has not at any time received any mail at the Anderson post office, except possibly when he was there on a visit to his father.

I am inclosing proof of these assertions and, upon examination, I have not any idea that the young man would deny the facts.

Now, it may be said to you that Mr. Cochran was born and reared in Anderson and while he was temporarily away he held this as his home. My information is that this is not true. John R. Cochran, this boy's father, and his wife separated. His wife moved to Savannah, Ga. The boy went with his mother and did not live with his father but did occasionally pay visits to his father's people in Anderson. His father begged him, I understand, to come and live with him and prepare himself to be his successor. The boy flatly declined to do so, but remained away from Anderson.

Therefore I take the position that the young man is in no way qualified legally for this position, and I most seriously protest against his name being certified in the eligible list.

If you wish to go further into this matter, I would be glad if you will allow me to cross-examine the young man in the presence of your commission.

Of course, I need not say that if he is appointed I shall make every effort within my power to prevent his confirmation; not that I have anything against the young man whatever, personally; I do not even know him; but I do not propose to allow the law to be flagrantly violated without a protest and a man brought out of another State and appointed to a post office in my State.

I am mailing a copy of this to each of you gentlemen and a copy to your clerk. I have absolutely no objection to your mailing a copy, if you see fit, to young Cochran.

Very respectfully,

COLE L. BLEASE.

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., January 14, 1928.

HON. COLE L. BLEASE,
United States Senate, Washington, D. C.

MY DEAR SENATOR BLEASE: Your letter to each of the three civil service commissioners with respect to the forthcoming examination at Anderson, S. C., has been received.

The closing date for the examination at Anderson is February 7, 1928. This is a first-class post office, paying a salary of \$3,400 per annum. No applications have as yet been filed with the Civil Service Commission.

Applicants for this position are required to be 30 years of age, except that all age limits are waived for ex-service men who served in the World War or Spanish-American War and were honorably discharged. Applicants must have actually resided within the delivery of the office for two years next preceding the date of examination.

Your letter will be filed with the application division, and the question concerning Mr. Cochran will be carefully scrutinized if he files an application.

Very truly yours,

W. C. DEMING, *President.*

South Carolina: Anderson, \$3,400; December 27, 1927.

No person who has passed his sixty-fifth birthday or who has not actually resided within the delivery of such office for two years next

preceding the date of examination shall be given the examination herein provided for. The Postmaster General shall determine before sending a name to the President that the candidate so selected has continued to reside within the delivery of the post office since the examination and up to the time of such selection.

WASHINGTON, D. C., January 21, 1928.

HIS EXCELLENCY CALVIN COOLIDGE,
President of the United States,
The White House, Washington, D. C.

HONORED SIR: A few days ago Mr. John R. Cochran, the postmaster at Anderson, S. C., died. Shortly thereafter the Post Office Department designated Jack R. Cochran acting postmaster.

I am inclosing records to show that the said Jack R. Cochran, or J. R. Cochran, is not qualified to act in said capacity, and that he is now acting in violation of the laws of the United States and the postal rules of the United States:

First. Because he is only between 26 and 27 years of age; the law requiring that this position should be held by persons not less than 30 years of age.

Second. That he is a resident and voter in the city of Savannah, in the State of Georgia, having resided there most of his life at the home of his uncle, at 220 East Forty-fifth Street.

Third. That he has not at any time had his mail addressed to him at the Anderson, S. C., post office.

In support of this I am sending you a copy of two certificates sworn to by himself, showing that he is a registered voter of the city of Savannah, in the State of Georgia; also copy of certificates from the officials of that city as to his having registered there and being a voter there. His own affidavit shows that when he registered in 1927 that he was several years below the required age to be qualified for this postmastership.

The constitution of the State of South Carolina requires that a man must have resided in the State for two years, that he must have resided in the county one year, and he must have resided in the voting precinct four months before he is eligible to become an elector.

Mr. Cochran's own affidavits, herewith attached, show that he lived in the city of Savannah, certainly up to the 1st of April, 1927. I am informed that he then went not to South Carolina but to Florida and then to Alabama, as other certificates herewith inclosed will show.

In view of this situation, Mr. President, I am protesting against the bringing of a man from Savannah, Ga., to Anderson, S. C., and making him postmaster.

I dislike to refer to family matters, but Postmaster John R. Cochran, deceased, and his wife were separated, and this boy left Anderson and went to Savannah, Ga., to live with his mother, and remained there at his uncle's home, went to school in the Savannah schools, registered, and became a voter in Savannah, has never lived in Anderson, S. C., and did not come to Anderson, S. C., until notified of his father's death, and while there was illegally and without excuse or foundation of law appointed acting postmaster simply because he was the son of his father, and I do not believe, sir, that you will uphold such action on the part of those who made this appointment.

I have called the matter to the attention of the Postmaster General and also to the Civil Service Board, and sent them copies of the papers which I am inclosing to you. I request that this young man be relieved from this service and that a native, at least, of my State be appointed to that office.

I regret that I have to make this letter so long, but I feel that it is due, before I bring the matter before the Senate, to place it before you for such action as you may deem fit.

With my kindest regards,

Very respectfully,

COLE L. BLEASE.

WASHINGTON, D. C., January 21, 1928.

HON. HARRY S. NEW,
Postmaster General, Washington, D. C.

MY DEAR GENERAL: I am inclosing you copies of registration certificate of John R. Cochran, now acting postmaster at Anderson, S. C., sworn to by him, showing that on April 1, 1927, he was a registered voter, resident, and citizen of Savannah, Ga., and was only 26 years of age at that time, which shows that he is legally disqualified of even acting postmaster at Anderson, S. C., because he is not 30 years of age and is not now and never has been a citizen of Anderson, S. C.

Very respectfully,

COLE L. BLEASE.

WASHINGTON, D. C., January 21, 1928.

HON. W. C. DEMING,
President United States Civil Service Commission,
Washington, D. C.

DEAR SIR: I am inclosing you copies of registration certificate of John R. Cochran, now acting postmaster at Anderson, S. C., sworn to

by him, showing that on April 1, 1927, he was a registered voter, resident, and citizen of Savannah, Ga., and was only 26 years of age at that time, which shows that he is legally disqualified of even acting postmaster at Anderson, S. C., because he is not 30 years of age and is not now and never has been a citizen of Anderson, S. C.

Very respectfully,

COLE L. BLEASE.

THE WHITE HOUSE,
Washington, January 23, 1928.

HON. COLE L. BLEASE,
United States Senate.

MY DEAR SENATOR BLEASE: I received your letter of January 21, with inclosures, regarding the postmastership at Anderson, S. C., and am sending it to the Postmaster General for consideration.

Very truly yours,

CALVIN COOLIDGE.

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., January 23, 1928.

HON. COLE L. BLEASE,
United States Senate, Washington, D. C.

MY DEAR SENATOR BLEASE: Your letter of January 21, inclosing copies of registration certificate of John R. Cochran, acting postmaster at Anderson, S. C., will be made a part of the file in this case and will be given due consideration in the event Mr. Cochran files an application for the postmastership at Anderson.

Very truly yours,

W. C. DEMING, President.

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., January 24, 1928.

HON. COLE L. BLEASE,
United States Senate.

MY DEAR SENATOR BLEASE: In the Postmaster General's absence I am acknowledging receipt of your letter of January 21 relating to the post office at Anderson, S. C. The letter will be brought to the Postmaster General's attention at the first opportunity.

You referred to the age of Mr. John R. Cochran as being 26 years, whereas in order to take an examination for postmaster at a first-class office a candidate must be 30 years of age. If Mr. Cochran is not 30, and if he has had no military service, it is therefore evident that he will be unable to qualify from the standpoint of age in the examination which has been announced for February 7. The requirement as to age is not applicable in the case of an ex-service man.

Sincerely yours,

JOHN H. BARTLETT,
Acting Postmaster General.

CITY OF SAVANNAH, GA.,
TREASURY DEPARTMENT,
Savannah, Ga., January 25, 1928.

HON. COLE L. BLEASE,
United States Senate, Washington, D. C.

MY DEAR SIR: Replying to your favor of the 20th instant, asking for information of Jack R. or J. R. Cochran, I find that the gentleman is now in Anderson, S. C., and is acting postmaster at that point.

Yours very truly,

G. B. PRITCHARD,
City Treasurer.

WASHINGTON, D. C., February 9, 1928.

HON. HARRY S. NEW,
Postmaster General, Washington, D. C.

MY DEAR GENERAL: I am informed by the Civil Service Commission that Mr. John R. Cochran, now acting postmaster at Anderson, has been declared ineligible, not being a resident of the city or county of Anderson or State of South Carolina, as provided.

I am also informed that he is three years under the required age and had no war record, save that he served in a Reserve Officers' Training Corps for a few weeks.

Under these conditions I am writing to ask if it is right that he should remain longer as acting postmaster; being wholly and totally disqualified to act as postmaster, should he be allowed to serve as acting postmaster, being a native of another State than the one in which he is acting, and being three years under the required age? I will be glad if you will give this matter your attention.

It is reported also that it is probable that an attempt will be made to hold him in the post office as acting postmaster until he shall become of age and shall have lived within the county and State the required time.

I can not believe this rumor; however, it is being very generally circulated as a fact by people who seem to be within the circle handling such affairs.

Thanking you for your attention to this matter, I am

Very respectfully,

COLE L. BLEASE.

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., February 11, 1928.

HON. COLE L. BLEASE,
United States Senate.

MY DEAR SENATOR BLEASE: In the absence of the Postmaster General I desire to acknowledge receipt of your letter of the 9th instant, relative to Mr. John R. Cochran, now acting postmaster at Anderson, S. C.

The Civil Service Commission announced that applications to fill the vacancy in the postmastership at Anderson must be filed by the close of business on the 7th instant. As soon as a certification is received the question of appointing a postmaster therefrom will have prompt attention. It is not believed advisable to appoint another acting postmaster at this time in view of the fact a list of eligibles will undoubtedly be secured within a reasonable time and then an appointment can be made for a four-year term.

Sincerely yours,

JOHN H. BARTLETT,
Acting Postmaster General.

WAR DEPARTMENT,
Washington, February 13, 1928.

HON. COLE L. BLEASE,
United States Senate.

DEAR SENATOR BLEASE: Reference is made to your letter of January 20 in regard to J. R. Cochran.

Records of the North Georgia Agricultural College show John Robert Cochran to have been a member of the R. O. T. C. and S. A. T. C. at that institution from September, 1917, to June, 1919; that he completed 490 hours' work for military credit to June 9, 1919, and completed 2 years of military training, attended the R. O. T. C. Camp at Camp Lee, Va., June 21 to August 2, 1919, and successfully completed the camp course.

In spite of this, there is no record in the War Department that he was ever inducted into the service. War Department records do show a John Robert Cochran, 2d, who registered with local board, division 1, Anderson, S. C., on September 9, 1918. He gave his age as 43 and stated he had a son in Savannah, Ga., 16 years of age. In view of the similarity in names it is believed that the man concerning whom you wrote is the son referred to. If this be true, his age would have prevented his induction, the minimum for which is 18.

I am sorry that I am unable to give you more definite information.

Sincerely yours,

C. B. ROBBINS,
Acting Secretary of War.

THE WHITE HOUSE,
Washington, February 15, 1928.

HON. COLE L. BLEASE,
United States Senate.

MY DEAR SENATOR BLEASE: By direction of the President, I am sending herewith a communication from the First Assistant Postmaster General regarding the postmastership at Anderson, S. C. Will you not be good enough to return it to the President after you are through with it?

Sincerely yours,

EVERETT SANDERS,
Secretary to the President.

POST OFFICE DEPARTMENT,
FIRST ASSISTANT POSTMASTER GENERAL,
Washington.

HON. EVERETT SANDERS,
Secretary to the President,
The White House, Washington, D. C.

DEAR MR. SANDERS: Senator BLEASE, it would seem, must be laboring under some misapprehension of fact in this case. I get this impression from Senator MOSES, with whom I talked this morning.

The truth is that when the postmaster died on December 27, 1927, it seemed to be the proper thing to do in the emergency to appoint his son acting postmaster, and this was done on recommendation of National Committeeman Tolbert. A civil-service examination is being held, and it is the intention to let the son act until we get an eligible register from the Civil Service Commission. The son is ineligible for the examination under the civil-service rule, being under 30 years of age, which is the civil-service requirement in this class of office.

The rule as to nonresidence has never been held to apply to an acting postmaster. It is often necessary to get some one to act immediately, regardless of residence or age.

But this young man, about 27 years of age, was born and brought up in the town of Anderson, S. C., and I think he claims it as his residence. He is unmarried, as I understand it, and has for a few years been getting his living in other parts. He may be a resident of Georgia, but, as I said before, he came home upon the death of his father, and it was quite natural that he should pick up the post-office situation that his father was in and go along with it temporarily.

I think Senator BLEASE will see this situation and accept it.

Since his appointment as acting postmaster we have gotten telegrams from the mayor of the city, from the editor of a newspaper, and a lengthy petition from patrons approving of the selection and asking that he be made the permanent postmaster, and the petition states that they consider him a resident of Anderson.

The civil-service list should be out in a very few weeks, and it doesn't seem reasonable on the facts to put the son of the deceased postmaster out as acting postmaster and put another in.

I trust this is a satisfactory explanation, but if it is thought that we should change him as acting postmaster, in view of the situation, we can readily do so.

Sincerely yours,

JOHN H. BARTLETT,
First Assistant Postmaster General.

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., March 13, 1928.

Hon. COLEMAN L. BLEASE,
United States Senate.

MY DEAR SENATOR BLEASE: The commission has noted S. 3328, introduced by you on February 21 and referred to the Committee on Post Offices and Post Roads, providing that every postmaster and acting postmaster shall reside within the delivery of the office to which he is appointed or within the town or city wherein the same is situated, and shall have so resided for a period of not less than one year and shall be a qualified voter of the State in which he is appointed. For your information the commission invites your attention to the present instructions issued by the President in an Executive order relative to the residence requirements for postmasters of the first, second, and third classes.

This order requires two years' residence within the delivery of the office immediately preceding the examination date. A postmaster may reside outside the State where his office is located if he is within the delivery thereof, as at present the delivery district of a post office is not affected by State boundaries.

The law now in effect governing postmasters does not require any length of residence prior to appointment and the regulations concerning fourth-class postmaster examinations carry out the intent of the law to the extent that applicants are required to be residents of the vacancy office at the time of examination as well as at the time of appointment. No specific length of residence is required in the case of fourth-class offices.

The CONGRESSIONAL RECORD for February 20 makes reference to the case of J. R. Cochran, of Anderson, S. C. Mr. Cochran's application was rejected by the commission as it did not appear that he could meet the residence requirements for the Anderson office.

By direction of the commission.

Very respectfully,

JOHN T. DOYLE, Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., March 17, 1928.

Senator COLE L. BLEASE,
United States Senate.

MY DEAR SENATOR BLEASE: Receipt is acknowledged of your letter dated March 14, in which the statement is made that "Cochran is now postmaster at Anderson, regardless of any rules or any law on the statute books." This statement has reference to one J. R. Cochran, of Anderson, S. C., to whom reference was made in the CONGRESSIONAL RECORD for February 20, and whose application for appointment as postmaster at Anderson, S. C., was rejected by this commission because it did not appear that he could meet the residence requirements for the Anderson office.

Mr. Cochran is acting postmaster, having been appointed as such by the Postmaster General pending the appointment of a qualified eligible under the Executive order of May 10, 1921, which prescribes the manner of appointing presidential postmasters. His appointment as acting postmaster was made effective January 9, 1928, and at approximately the same time the Post Office Department requested a certification of eligibles from which to make selection for postmaster at Anderson. As soon as the register can be compiled from the examination which was held February 7, 1928, certification will be made.

It is desired to point out that under the Postal Regulations the appointment of an acting postmaster pending the selection of a regular postmaster under the Executive order of May 10, 1921, is left to the discretion of the Postmaster General.

By direction of the commission.

Very respectfully,

JOHN T. DOYLE, Secretary.

ANDERSON, S. C., January 3, 1928.

United States Senator COLE L. BLEASE:

Will you oppose or not appointment of John R. Cochran, third postmaster at Anderson? Appreciate answer soon.

THE ANDERSON DAILY MAIL.

WASHINGTON, D. C., January 3, 1928.

ANDERSON DAILY MAIL,
Anderson, S. C.:

Your wire my understanding is Cochran is not a citizen of Anderson and is not eligible therefor. Will oppose his confirmation.

COLE L. BLEASE.

WASHINGTON, D. C., January 3, 1928.

J. W. TOLBERT,
Ninety Six, S. C.:

Just received following telegram: Will you oppose or not appointment of John R. Cochran, third postmaster at Anderson. Appreciate answer soon. The Anderson Daily Mail. Replied as follows: Your wire my understanding is Cochran is not a citizen of Anderson and is not eligible therefor. Will oppose his confirmation.

COLE L. BLEASE.

ANDERSON, S. C., January 3, 1928.

Senator COLEMAN L. BLEASE,
Washington, D. C.:

The appointment of John R. Cochran as postmaster to succeed his father is gratifying to the people of Anderson and meets with practically unanimous approval. He will be able to establish citizenship. Trust you will withdraw opposition and push early confirmation.

FOSTER PAINT, Mayor.

WASHINGTON, D. C., January 5, 1928.

COUNTY TREASURER,
Anderson, S. C.:

Has John R. Cochran, now acting postmaster, paid poll tax for the year 1927 or at any other time in Anderson County?

COLE L. BLEASE.

ANDERSON, S. C., January 5, 1928.

Senator COLE L. BLEASE:

No record of John Cochran, acting postmaster, having ever paid any tax in Anderson County.

J. R. C. GRIFFIN,
County Treasurer.

WASHINGTON, D. C., January 5, 1928.

COUNTY AUDITOR,
Anderson, S. C.:

Has John R. Cochran, now acting postmaster, paid poll tax for the year 1927 or at any other time in Anderson County?

COLE L. BLEASE.

ANDERSON, S. C., January 6, 1928.

Hon. COLE L. BLEASE,
Senator:

John R. Cochran has never paid taxes in Anderson County.

GEORGE E. SANDERS,
County Auditor for Anderson County.

WASHINGTON, D. C., January 5, 1928.

CLERK OF COURT,
Anderson, S. C.:

Is John R. Cochran, acting postmaster, a taxpayer or qualified voter of the city of Anderson?

COLE L. BLEASE.

ANDERSON, S. C., January 5, 1928.

Senator COLE L. BLEASE,
Washington, D. C.:

Do not find name of John R. Cochran, acting postmaster, on registration books for the city of Anderson.

JOHN C. TAYLOR, Clerk of Court.

WASHINGTON, D. C., January 5, 1928.

CITY CLERK AND TREASURER,
Anderson, S. C.:

Is John R. Cochran, now acting postmaster, a taxpayer in the city of Anderson? Has he been for several years past?

COLE L. BLEASE.

ANDERSON, S. C., January 5, 1928.

Hon. COLE L. BLEASE,
United States Senate Chamber:

Your wire, Mr. Cochran's name does not appear on city tax books.

J. B. FARMER, Clerk and Treasurer.

[From the Anderson Independent of January 3, 1928]

JOHN COCHRAN, JR., IS CONSIDERED FOR LOCAL POSTMASTERSHIP, RUMOR—
SON OF LATE POSTMASTER MAY BE HIS FATHER'S SUCCESSOR ACCORDING
TO RUMORS LEAKING OUT OF GREENWOOD—WOULD MEET WITH LOCAL
APPROVAL

A rumor coming out of Greenwood has it that John R. Cochran, jr., son of the late Postmaster John R. Cochran, who died suddenly on Monday, December 26, is looked upon favorably by Joe Tolbert, Republican national committeeman from this State, and that young Mr. Cochran is being seriously considered as a successor to his father. The rumor states further that Mr. Cochran's name has been submitted to President Coolidge for approval, and that Congress will be asked to consider the appointment within the next few days.

It is believed that the appointment of Mr. Cochran would meet with hearty approval here. The late John Cochran, sr., served efficiently and well for more than 20 years, and local people are in favor of the office continuing in the Cochran family so long as the Republicans are in power.

A number of Anderson citizens are pulling political wires in an effort to worm into the vacant postmastership, it is understood. But practically all of them are Democrats and are therefore virtually ineligible. Young Mr. Cochran is about 25 years old, being some three years older than his father was when he was appointed. Mr. Cochran was born and reared in Anderson, but for the past several years has been in Florida and Alabama. He attended school at the University of Georgia, where he specialized in business administration. At the present time he is manager of a large bottling plant in Montgomery, Ala.

The only other known possibility for the postmastership besides Mr. Cochran is John Robert Tolbert. Mr. Tolbert, who is a native of Greenwood, has been making his home in Anderson for the past six months. He is a United States deputy marshal, and is a member of the famous Tolbert clan. He is quoted as having said that he did not care for the appointment, and would not accept the position were it offered him.

[From the Columbia State of January 4, 1928]

JOHN R. COCHRAN SUCCEEDS FATHER—NAMED POSTMASTER AT ANDERSON—
SENATOR BLEASE TO FIGHT CONFIRMATION

ANDERSON, January 3.—On the heels of the announcement to-day from Washington that John R. Cochran had been appointed postmaster at Anderson came word from United States Senator COLEMAN L. BLEASE, of South Carolina, that he would oppose confirmation. His grounds are that Mr. Cochran is not a resident of Anderson, and therefore is ineligible to succeed his father, John R. Cochran, former postmaster.

WASHINGTON, January 3.—John R. Cochran has been appointed acting postmaster at Anderson, S. C.

ANDERSON, January 3.—When he takes office as acting postmaster here, John R. Cochran probably will be the youngest postmaster in South Carolina.

He is 27 years old, and succeeds his father, who died several days ago of heart trouble.

John R. Cochran, sr., was 21 years old when he was appointed postmaster here in 1898 by President McKinley. He served as postmaster 22 years.

Appointment of the son of the late postmaster comes as no surprise here.

FORMERLY IN SAVANNAH
(Special to the State)

SAVANNAH, GA., January 3.—John R. Cochran, 27, appointed to-day acting postmaster at Anderson, S. C., vice his late father of the same name, was in the insurance business in Savannah for several years prior to leaving here last spring. He had lived before in Alabama and in Maryland. Telephoning to-night from Anderson to relatives in Savannah Mr. Cochran said he had always kept his legal residence in Anderson.

OATH OF VOTER

On file in tax collector's office.

Jack R. Cochran, born December 20, 1902.

TRUE COPY OF REGISTRATION

GEORGIA, Chatham County:

I do swear, or affirm, that I am a citizen of the United States; that I am 21 years of age, or will be on the — of — of this calendar year; that I have resided in this State for one year and in this county for six months immediately preceding the date of this oath, or will have so resided on January 16, 1928, of this calendar year; that I have paid all taxes which, since the adoption of the constitution of 1877, have been required of me, except taxes for this year; that I possess the qualifications of an elector required by the constitutional amendment adopted in 1908; and that I am not disfranchised from voting by

reason of any offense committed against the laws of the State. I further swear, or affirm, that I reside in the city of Savannah, at No. 220 East Forty-fifth Street, or in the fourth district, G. M.; my age is 21; my occupation is clerk.

Sworn to and subscribed before me this January 25, 1924.

____ Registrar.

(Signed) J. R. COCHRAN.

J. A. JOHNSON,

Deputy Tax Collector Chatham County, Ga.

[SEAL]

(Copy)

Qualifications claimed:

1. Soldier.
2. Descendant of soldier.
3. Good character and knowledge of duties of citizenship.
4. Educational.
5. Property.

OATH OF VOTER

New registration.

On file in tax collector's office.

Jack R. Cochran, to Florida in 1924; back to Georgia in 1926.

TRUE COPY OF REGISTRATION

GEORGIA, Chatham County:

I do swear, or affirm, that I am a citizen of the United States; that I am 21 years of age, or will be on the — of — of this calendar year; that I have resided in this State for one year and in this county for six months immediately preceding the date of this oath, or will have so resided on January 16, 1928, of this calendar year; that I have paid all taxes which, since the adoption of the constitution of 1877, have been required of me, except taxes for this year; that I possess the qualifications of an elector required by the constitutional amendment adopted in 1908; and that I am not disfranchised from voting by reason of any offense committed against the laws of the State. I further swear, or affirm, that I reside in the city of Savannah, at No. 220 East Forty-fifth Street, or in the fourth district, G. M.; my age is 26; my occupation is none.

Sworn to and subscribed before me this April 1, 1927.

____ Registrar.

(Signed) JACK R. COCHRAN.

J. A. JOHNSON,

Deputy Tax Collector Chatham County, Ga.

[SEAL]

(Copy)

Qualifications claimed:

1. Soldier.
2. Descendant of soldier.
3. Good character and knowledge of duties of citizenship.
4. Educational.
5. Property.

FARM RELIEF

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3555) to establish a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of agricultural commodities in interstate and foreign commerce.

Mr. McKELLAR. Mr. President, a parliamentary inquiry. Will the Chair state what amendment is now pending, if any?

The PRESIDING OFFICER (Mr. COUZENS in the chair). The Secretary will state the pending amendment.

The LEGISLATIVE CLERK. The amendment of the Senator from New York [Mr. COPELAND], as modified, to insert, on page 26, after line 21:

(4) The words "agricultural commodity" mean an agricultural commodity which is nonperishable in its nature.

Mr. McKELLAR. Mr. President, will the Senator from Oregon state what he desires to do with the amendment?

Mr. COPELAND. Mr. President, I would like to perfect this amendment of mine, which is now pending, to have it read:

The words "agricultural commodity" mean an agricultural commodity which is not a fruit or vegetable

Mr. McNARY. Mr. President, I think that exactly meets the situation; and, so far as I am personally able to do so, I accept the amendment.

Mr. COPELAND. Shall we take action upon it now?

Mr. McNARY. Yes; we might as well.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York, as modified.

The amendment, as modified, was agreed to.

Mr. McKELLAR. Mr. President, I offer an amendment, which I will ask the clerk to report.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 3, line 21, after the word "States," insert "shall be the producer of some one or more agricultural products or shall be interested in and truly representative of agriculture."

Mr. McKELLAR. That merely refers to the qualifications of the members of the board, and I take it that the Senator from Oregon agrees to that first amendment.

Mr. McNARY. Yes; as far as I can.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. McKELLAR. I ask the clerk to read the next amendment, on page 5.

The LEGISLATIVE CLERK. On page 5, after line 15, the Senator from Tennessee proposes to insert:

No action having a general application to any one commodity shall be taken by the board unless first approved by a majority of the advisory council.

Mr. CARAWAY. What does that amendment mean? It says "having a general application."

Mr. McKELLAR. That is the language which was suggested.

Mr. SHORTRIDGE. Mr. President, we can not hear what is going on in the Chamber.

Mr. CARAWAY. I think this is a very important matter, and the Senate ought to hear it.

The PRESIDING OFFICER. The Senate will be in order.

Mr. McKELLAR. The Senator from Arkansas has asked in reference to the language of the amendment on page 5, after line 15. I will read it, if the Senator will permit me:

No action having a general application to any one commodity shall be taken by the board unless first approved by a majority of the advisory council.

I will say to the Senator from Arkansas that, as he will recall, the bill provides that an advisory council of seven shall be appointed by the board.

Mr. CARAWAY. I am familiar with that.

Mr. McKELLAR. This is one of a number of amendments appearing in the Record of yesterday's proceedings. The purpose is to have the President appoint the advisory council by and with the advice and consent of the Senate, and in all matters like the assessment of the equalization fee or like any question affecting generally a commodity, in a general way that does not apply to all the others—

Mr. CARAWAY. It is not the amendment we agreed upon, then?

Mr. McKELLAR. It is exactly the amendment that was agreed upon, with the suggestion of this language by representatives of the farm cooperative associations.

Mr. CARAWAY. Is it the intention of the Senator now to have the President appoint the advisory council?

Mr. McKELLAR. It is.

Mr. CARAWAY. And get them absolutely from under the control of the farm organizations?

Mr. McKELLAR. No; they are to be appointed from lists furnished by the board.

Mr. CARAWAY. I hope the Senator from Oregon, the chairman of the Committee on Agriculture, will not agree to the amendment, because it would import into the bill one of the very reasons the President gave for vetoing the bill when it was passed before.

Mr. McNARY. Mr. President, of course the chairman of the committee has no authority to accept any amendment.

Mr. CARAWAY. I understand that, but this is not the amendment we agreed upon. The amendment which was submitted and agreed to, when I had anything to do with it, was to the effect that the advisory council should be nominated by the farm groups and appointed by the board. This would incorporate into the bill one of the very reasons why the President vetoed the other bill, saying that we were invading his constitutional right to make the selections.

Mr. McNARY. I think the Senator from Arkansas forgets that confirmation is to be by the Senate. The appointments are to be made by the President upon the suggestion of the cooperative organizations—from lists they submit.

Mr. CARAWAY. Yes.

Mr. McKELLAR. The President is not bound by them.

Mr. McNARY. Then the President makes the appointments, subject to confirmation by this body.

Mr. CARAWAY. He complained about that provision with reference to the board in the former bill, because he said we

were invading his constitutional right, telling him whom he was permitted to appoint.

Mr. McNARY. But in that bill, as the Senator will recall, there was provided a nominating committee, and they were to submit three names. Under this they are to supply to him a representative list, from which he can make his own selections.

Mr. CARAWAY. What is the difference between submitting 3 and 300, if there exists the right to submit a list, and he can not go outside of it? Why change the language we agreed upon, which would provide that this advisory council shall be appointed by the board, making it absolutely responsive to the farm group? Let the farm group name the list from whom the board should select, so that they could not go outside the list of those the farmers themselves want. If Senators take the view of it now, that it has not any force and effect, that it is merely the expression of a wish, they may so tie their hands that the farmers can not get a single person they want on the board.

Mr. McKELLAR. Mr. President, if the Senator will permit a reading of the amendment found on page 2 of the redrafted section 4, I think it will meet his approval.

Mr. CARAWAY. This does not meet my approval.

Mr. McKELLAR. If the Senator will permit me, and will listen to it, I will read that amendment, which is a part of the one we have just been discussing. It is to insert, in lieu of section 4 of the bill:

SEC. 4. (a) Whenever the board determines that any agricultural commodity may thereafter require stabilization by the board through marketing agreements authorized by this act, or whenever the cooperative associations, or other organizations representative of the producers of the commodity, shall apply to the board for the creation and appointment of the advisory council for such commodity, then the board shall notify the President of such determination or application. The President shall thereupon create an advisory council for the commodity. The advisory council shall be composed of seven members to be appointed by the President by and with the advice and consent of the Senate. No individual shall be eligible for appointment to a commodity advisory council unless he resides in the region in which the commodity is principally grown, and is a producer of the commodity. Prior to the making of any appointment to a commodity advisory council, the board shall transmit to the President for his consideration lists of individuals qualified for appointment, to be submitted to the board by cooperative associations or other organizations representative of the producers of the commodity. The term of office of a member of any commodity advisory council shall be two years. In the event of a vacancy occurring, the President shall fill such vacancy in the same manner as the originally appointed member, and, should Congress not be in session, such appointee shall hold office until 20 days after the convening of the next session of Congress.

Mr. CARAWAY. What is the reason for taking away from the board the right to appoint this advisory council, so that we may know that the farmers will get exactly what they want? Why does the Senator want to make it speculative, so that the farmer may or may not get his friends on the board?

Mr. McKELLAR. Mr. President, I will state the reason for that. Under the terms of the bill as now drawn, the farm board would have a right to appoint the advisory council, but the advisory council could give any advice that it might see fit to give, and the board, which creates the advisory council, of course would not have to follow the advice of the council unless it desired to do so.

Mr. CARAWAY. Yes; but we agreed upon an amendment to cure that situation.

Mr. McKELLAR. This is the amendment, as I understand it.

Mr. CARAWAY. No; this is not the amendment, and if I may be permitted to say so without being offensive, whoever may slip that into the bill has handed the farmer a gold brick. It absolutely defeats the very object and purpose of the amendments agreed upon to make the bill responsive to the farmer. If you can not trust the farmer, just say so. That is all the amendment says.

Mr. McNARY. Mr. President, I assumed that this was the amendment agreed upon.

Mr. CARAWAY. Absolutely, it is just the contrary.

Mr. McKELLAR. I thought, as the Senator from Oregon did, that the Senator from Arkansas had agreed to it. I am just mistaken about it.

Mr. CARAWAY. Absolutely, it is the converse of what we agreed upon.

Mr. McNARY. Let me suggest that for the present the Senator refrain from offering his amendment.

Mr. McKELLAR. I will, for the present, and I will submit it to the Senator from Arkansas, because I assumed that it had his approval.

Mr. CARAWAY. The amendment we agreed upon put the power in the hands of the farmer, because the bill had to be drawn to meet the President's objections.

Mr. McKELLAR. I withdraw the amendment for the present.

Mr. CARAWAY. The bill had to be drawn to meet the President's objection as to limiting his constitutional right to make appointments. We could say that the advisory council, which was nominated by the farmers and must be appointed by the board, should have full power to say when a marketing operation should commence and when it should end. Therefore the board would be merely ministerial when it came to the most important part of the bill. But this amendment absolutely takes away from the farmer any chance to have his wishes respected at all. It changes the whole purpose and intent of the amendment and destroys whatever little control the farmer would have over his marketing machinery. It seems to me unthinkable that it should be urged upon the bill.

Mr. SIMMONS. Mr. President, I can not agree with the conclusions of the Senator from Arkansas with respect to the amendment. I think the amendment does exactly the reverse of what the Senator from Arkansas contends it does.

Mr. CARAWAY. Mr. President, will the Senator let me ask him a question? We can settle that in just a minute.

Mr. SIMMONS. If the Senator will allow me to proceed a little further, then I think he will understand me better.

The bill as originally drawn provided for the selection of a board of 12 by the President, by and with the advice and consent of the Senate. Practically all power was vested in that board. It also provided that if the growers of a commodity saw fit to come in and take advantage of the provisions of the bill for a period, that a council of seven should be appointed to represent that particular product. But the bill provided that that council should be appointed by the board. There was no limitation whatever upon the power of the board with reference to the appointment of the council. The council, when appointed, had very little power. Its powers were almost wholly confined, if not absolutely confined, to recommendations and advice.

The friends of the amendments now offered insisted that that lodged practically all power in the board, because the council would have little power to begin with, and the council would be so absolutely dependent for its life and existence upon the board that its members would, of course, do the bidding of the board. Therefore, in order that a product like cotton or tobacco or wheat, when it entered to take advantage of the provisions of the bill, should have somebody there who would be especially interested in that product and represent it, and with some power of independence in the position which its representatives took, it was decided by the committee that we would urge that the council as well as the board be appointed by the President. I do not think the Senator from Arkansas was present, however, when that determination was reached; I am quite sure he was not.

Now, it is argued that we would restrict the rights of the President, in the making of the appointments, to the point where there would be an infringement upon his constitutional prerogative. Such is not the case.

Mr. CARAWAY. Mr. President, if the Senator will permit me, the Senator is aware of one of the reasons given by the President for his veto of the other bill, that we tried to limit his right to make appointments. Under the amendment to which we agreed in the committee room, when I never thought there was to be any change in it, we said that, while we could not restrict his right to appoint the board from whatever source he saw fit, we could make the board employ or appoint an advisory council that the farmers themselves might select, because the board would have no discretion, and, therefore, we could make the advisory council absolutely the agent of the producer, over which the board would have absolutely no control. Now, the amendment takes that away from the farmer and provides that the President may appoint the advisory council also, and he can go wherever he pleases to do it, because under the Constitution we can not compel him to do otherwise.

Mr. SIMMONS. I want to say very emphatically that I had infinitely rather have the President appoint the council, with the advice and consent of the Senate, than to have the board appoint the council at their will.

Mr. CARAWAY. But that was not the original amendment. The amendment was that the board should appoint, as an advisory council, those people whom the farmers' organizations recommended, and nobody else. We could require the board to name the council so we would not have to submit more than seven names, and they would have to accept them. Then the council would be the agents of the producers and not of

the board, and would be responsive to the agricultural interests of the country, because the agricultural interests recommended them and forced their appointment. Under the proposed amendment the President could appoint an advisory council for tobacco from among whomsoever he saw fit, and they might not know tobacco from acorns.

Mr. SIMMONS. The Senator is entirely mistaken about that.

Mr. CARAWAY. That is what it says. I may not know lots of things, but I do know how to read, and I do know that as long as—

Mr. SIMMONS. There are others of us who know how to read also.

Mr. CARAWAY. I know that. I know that as long as the advisory board was to be made up of men selected by the agricultural group and appointed by the board, neither the President nor anyone else could interfere. We would get just exactly whoever the farmers wanted. If they have sense enough to know their friends, they would get them. But under the provisions of the amendment as now submitted they absolutely lose control of the council, because the President has the constitutional right and we can not restrict him in the making of appointments when we create the office.

Mr. SIMMONS. Oh, Mr. President, we have repeatedly restricted, not the number of persons from whom the President might select, as did the provision in the bill of 1926—

Mr. CARAWAY. He vetoed that measure on that account.

Mr. SIMMONS. Yes; he vetoed it on that ground and I am not now complaining of his veto with respect to that matter.

Mr. CARAWAY. I am.

Mr. SIMMONS. Then we provided for the selection of certain men by the farmers' organizations and provided that the President should select the appointees from that list.

Mr. CARAWAY. If the President said that he would veto it because we confined his list to 26, he would have the right to veto it if we named a million on the list. It is not a question of how many, but whether we have the right to do it at all. It does not make any difference whether the President is right or wrong, as long as he can sign his name to the veto of a material measure he can do it, and the Senator knows he will do it on that ground.

Mr. SIMMONS. Now, if the Senator is through, I will proceed with what I started to say.

Mr. CARAWAY. I shall not interrupt the Senator again.

Mr. SIMMONS. I do not mean the Senator may not interrupt me if he desires at any time, and I assure him of my desire to be entirely courteous to him.

Mr. President, what the amendment does, as I understand it, is simply to say that the council appointed to represent a particular commodity may recommend to the President certain persons as eligible, as qualified, for the position, but it does not require the President to appoint from that list. The President may absolutely ignore that list, although it may contain 100 names. But it is provided that the President shall appoint a person who is a producer of the product or substantially interested in the production of the product. The latitude of the President is not limited beyond the right of the Congress to limit it.

We have enacted legislation of that character here repeatedly. We provided in one act, I remember, that in the selection of representatives upon the Shipping Board, appointees should be taken from certain sections of the United States. We provided that the representatives of certain interests should be selected, and only the representatives of certain interests. When we get to the bottom of his matter that is all the amendment now proposes. It provides that the President may appoint, if he chooses to do so, from the list submitted to him by the council representing the particular article or product; but if he does not desire to do that he may refuse to make a selection from that list and may make another selection; but when he does make the selection, it must be somebody who is a producer of the product for which the council is to be appointed.

I submit that that limitation is not one which infringes or in any way tends to impair the power of the President under the Constitution. It is a method to which we have frequently resorted in order to secure protection of just the character we are seeking in this bill. It would not be obnoxious to the objection made by the Senator from Arkansas, and neither would the President find any ground in it upon which to base a veto.

Mr. CARAWAY. Mr. President—

The PRESIDING OFFICER (Mr. COPELAND in the chair). Does the Senator from North Carolina yield to the Senator from Arkansas?

Mr. SIMMONS. I yield.

Mr. CARAWAY. What advantage can come to agriculture by having the advisory council appointed by the President when

we can let it be named by the board and we can absolutely name the individual? We can tell the board under the bill that this one man, which a particular organization names, shall be appointed, and nobody else, and it is mandatory upon the board, and it has no discretion; it has to appoint him. But under the amendment now submitted the only thing left to the agricultural interests is to put up a list of names, and the President may select from among them or he may not. What advantage do we get by taking away from the farmer the absolute control of his own business and injecting it into the uncertain field of presidential politics, subject to the whim and wish of the administration, whoever it may be? What reason can be offered for denying the farmer the right to take his agent from whatever class he wants to name, naming John Jones or Henry Smith, and nobody can say them nay? But under the amendment as now presented the President, if we name Smith, may hand us Brown. I see no advantage that would come from such a provision.

Mr. SIMMONS. Mr. President, it is the broad difference between a council appointed by the board and a council appointed by the President with the consent of the Senate. If the council is appointed by the board the Senate has nothing to do with it. The board may appoint whomsoever it pleases.

Mr. CARAWAY. Oh, no; it must appoint the very man that the agricultural interests ask for; it has no discretion; it is purely an administrative act. So the farmer may name absolutely the agent he wants. Under the amendment as it is the farmer may suggest and then have to take whoever is given him. Why should the farmer want to be denied the right to be absolutely certain that he will get the individual agent that he wants?

The Senator says that the President will have to select from a group, but he may take anybody in that group that he wants to.

Mr. SIMMONS. The President may take any producer of the product whom he wants to; there is no limitation of his power; but the Senate is not required to take anybody whose name the President may send it.

Mr. CARAWAY. Does the Senator fear to trust the farmers and therefore want a veto on their choice? Is he not willing that the farmers who create the wealth shall say how it shall be disposed of, or does he think they ought not to sell a hoghead of tobacco or a bale of cotton unless the Senate shall ratify the transaction?

Mr. SIMMONS. I do not desire—

Mr. CARAWAY. That is exactly what will be the result of the Senator's amendment.

Mr. SIMMONS. Of course, I deny that assertion. If the Senator will let me have just one word in my own time, let me say that this bill as originally drafted put the agricultural interests of the country entirely in the hands of a board selected by the President and the cooperative associations of farmers; and I do not want to have those interests put absolutely in the hands of either. I want to see the right of selection—

Mr. CARAWAY. If the Senator will pardon me, his first statement is incorrect. It did not put the interests of agriculture in either the hands of the cooperatives or of the board; it put them in the hands of the organized farmers.

Mr. SIMMONS. Well, Mr. President, after this bill shall be passed, if it shall be passed in its original form, the organized farmers of the country generally will mean cooperative associations, and nothing else. I desire that the Senate of the United States shall have as much power over the appointment of the advisory councils as it has over the appointment of the board. I think that it is as important to the cotton interests of the South that the Senate as the representative of the States shall have the power to determine at least who shall not represent upon the advisory council the interests of the different agricultural products. I think that section by section we are as much interested in the advisory councils as we are in the general board, and therefore I have been anxious to make the councils independent of the board.

Mr. CARAWAY. And of the farmer.

Mr. SIMMONS. No; not independent of the farmer.

Mr. CARAWAY. That is just what the Senator's amendment will do.

Mr. SIMMONS (continuing). Because we have provided in the amendment that nobody shall be appointed upon the council who is not a producer of the commodity, and if the President violates that instruction the Senate will have the right to reject and to repudiate the action of the President. The producers are, if anything, more interested in the council and its fitness and qualifications and its interests and sympathy even than they are in the board.

The council represents the particular agricultural industry; the council has to do with vital questions affecting the particular industry; and I think the council ought to be as inde-

pendent of the board in its action as the board is of the President in its action.

Mr. CARAWAY. Mr. President, may I ask the Senator from North Carolina a question?

Mr. SIMMONS. I shall be very glad to hear the Senator's question and will answer it.

Mr. CARAWAY. I merely want to make a brief statement. Without bandying this question further backward and forward, the Senator from North Carolina says he wants to make the board responsive, as I gather from his remarks, to the Senate. Under the amendment that we agreed to, as I understood, the board became absolutely the creature, the agent of agriculture. It was to name every member of the advisory council, and nobody could veto the farmer. Now, if the Senator is correct, if he is not willing for the cotton producers to select their agents unless the Senate shall have the right to review the selections, I can not understand the amendment. Personally, I am willing to let the farmers select their agents. If they are not better farmers than I and some of the others of us have proved to be, I presume they ought to have guardians appointed, as most of us who are farmers may have to have receivers appointed for us pretty soon. Under the amendment agreed upon, the farmer was absolutely his own master; he could select his own agents and nobody, high or low, could control his selection. Necessarily, then, his agent would be his creature. Under the amendment he would have only the right to put his hat under his arm and say, "Now, Mr. President, if in your wisdom you are willing that I shall have one of the million agents that I might designate, I will be duly thankful." I am told that the Senate can reject a nomination made by the President. Of course it can. It can reject any nomination he may submit; but it can not make him send in the name of somebody else that suits us any better. We can reduce the bill to an absolutely useless number of words by authorizing the Executive to determine who shall be the agents, when we have it in our power to make the agent absolutely responsive to the farmers and to nobody else. Why does the Senator want to surrender that power?

Mr. SIMMONS. If the Senator will pardon me, I should like to proceed.

Mr. CARAWAY. I was not quite through, but of course I yield to the Senator.

Mr. SIMMONS. No; go ahead. I do not want to interrupt the Senator from Arkansas.

Mr. CARAWAY. If the Senator from North Carolina has something he wishes to say I would rather yield the floor than not have him say it.

Mr. SIMMONS. I was simply going to say that recently the Committee on Commerce reported a measure and it was passed by the Senate which, in pursuance of a custom and precedent that has been followed here ever since I have been in the Senate, provided for a certain board, a very vital board, in connection with flood control, that board to have the jurisdiction and the power to determine any differences existing between what is known as the Jadwin program of flood control and the Mississippi River Commission flood-control plan.

All questions of difference are to be settled by that particular board, as the chairman of the Committee on Commerce, the Senator from Washington [Mr. JONES], now sitting at my right, will recall. It is provided in the act that the Secretary of War shall be ex officio a member; that the Chief of Army Engineers shall be a member; that the president of the Mississippi River Commission shall be a member; and the President shall then appoint two civilian engineers to make up that board of five. What we have done in the case of the pending bill is similar to that.

Mr. President, I wish to say to the Senate that when I first read this bill there were two things that especially impressed me; first, that the arrangement with reference to the appointment of a council put the whole administration of this complex system in the hands practically of the board itself. There is a provision that the board shall, in making appointments to the advisory council, receive the recommendations of the cooperative associations and farm organizations, and there is also a provision that it shall appoint persons representing the particular commodity, but there is no power to make the board conform to those requirements. If the board should see fit to disregard those requirements in the act and appoint a man from New York to represent the cotton industry of the country, there would be no remedy against their action. That was one situation that confronted me. Again, I felt the council was so important to agriculture, especially the larger agricultural industries, so important to the wheat producers, for instance, having the entire control of the administration of the legislation as it affected wheat, and so important to the great cotton industry, and so important to tobacco, that the council ought to be inde-

pendent of the board and ought not to be a mere servant and tool and puppet of the board, and that ordinary caution would dictate that the Senate should have the right to confirm or reject the appointees to the council. Of course, if the appointments were made by the board, the Senate would have no power to reject them.

The only way the Senate could acquire this right of confirmation or rejection was to require the appointments to be made by the President. In this way the Senate retains its control over the confirmation of the nominations, so that if the President should abuse his authority and appoint some one contrary to the provisions and spirit of the law and not truly representative of the interests involved the Senate will have a check upon him. If the board as constituted in this bill as originally presented shall appoint somebody other than a farmer, there is nobody to check it up; there is nobody to restrain its usurpation in that regard.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Idaho?

Mr. SIMMONS. Yes.

Mr. BORAH. The Senator has given a great deal of attention to this bill and particularly this feature of it. Is it a practical proposition to have the producers of the commodity elect the advisory board?

Mr. SIMMONS. The bill provides that a council of seven shall be appointed for each commodity.

Mr. BORAH. Yes; but the only thing the farmer has to do with it is twice removed; that is the appointments are made from a list recommended by the cooperative associations.

Mr. SIMMONS. Practically so.

Mr. BORAH. That is what the bill provides.

Mr. SIMMONS. The bill reads:

The board is hereby authorized and directed to create an advisory council of seven members fairly representative of the producers of such commodity. Members of each commodity advisory council shall be selected annually by the board from lists submitted by cooperative associations or other organizations representative of the producers of the commodity.

Mr. BORAH. The only relationship which the actual producer has with it is whatever relationship he may have through the association. Is it not practicable to enable the producers of a commodity to select their advisory board and give that advisory board the authority to say whether or not that commodity can be taken under these marketing agreements?

Mr. SIMMONS. I would not object, Mr. President, to the representatives of the commodity concerned appointing the council, but I do object to letting the board select the council.

Mr. BORAH. I quite agree with the Senator upon that proposition.

Mr. SIMMONS. Notwithstanding the provision here restricting the authority of the board in the case of appointments to the council, I say if they disregard those limitations—and there are instances where such limitations have been disregarded in the past—that we have no power to remedy that wrong.

Mr. BORAH. In my humble judgment, the real producer will be a bystander in this whole proposition. He really has not any checking power anywhere.

Mr. SIMMONS. Not as much as I should like him to have. If the Senator can prepare a workable amendment that would give the representatives of the commodity the right to appoint the council, that would suit me better than anything else; but it is very difficult to get a fair representative action out of a vast number of citizens, scattered all over this country, who may represent a particular product, unless you are going to put it absolutely in the hands of the cooperatives.

Mr. BORAH. I know it is difficult. That is where the difficulty arises, in getting them together; but the fact remains that there ought to be some method by which the real producers could have some check upon two propositions in this bill. They ought to have a check, in the first place, upon the question of whether or not the commodity is going to be taken in charge by the general board, and secondly, a check upon the amount of the fee.

Mr. SIMMONS. We have the first.

Mr. SMITH. That is provided in a subsequent amendment.

Mr. SIMMONS. Yes; that is provided, absolutely.

Mr. SMITH. It is then, provided, that no action shall be taken in reference to any commodity except a majority of the appointed advisory council agrees.

Mr. SIMMONS. If the Senator will examine all these amendments together—I do not know whether he has had an opportunity to read them or not—he will see that these amendments

tend to put vast power in the hands of this council when it is once created.

Mr. BORAH. Yes.

Mr. SIMMONS. Now, we are dealing with the manner of creating it.

Mr. BORAH. Exactly. The virtue of the whole proposition depends upon the manner of creating this advisory council.

Mr. SIMMONS. Exactly. Therefore, I think it is as important as the board, and ought to be independent of it.

Mr. BORAH. I agree with the Senator.

Mr. SIMMONS. I am not going to consent to the plan now carried in the bill, because I see no reason for a council if it is to be a mere puppet of the board and enjoy no privilege or power except that of recommendation and advice, which can be disregarded at the will of the board.

Mr. SMITH. Mr. President, I should like to state to the Senator from Idaho that every subsequent amendment to this bill has recognized that the fate of each commodity under this proposed marketing system is going to rest, under the amendments we propose, with the advisory council.

Mr. BORAH. Yes.

Mr. SMITH. Unless that is done I, for one, can not support the bill.

Mr. BORAH. I agree perfectly with the Senator upon the proposition that the advisory council, representing a particular commodity, should have a check upon the actions of the board. I think they ought to be authorized to say that the board shall not proceed with the marketing proposition with reference to any commodity without their consent. I agree with that. Then the manner of the creation of the advisory council becomes all the more vital.

Mr. SMITH. Has the Senator any suggestion to make other than the one that was so painstakingly worked out by those who were interested in one commodity, at least, when we sought to restrict, as far as we could safely do so, the appointment of these men so as to represent the actual producers of the commodity? The language may be unfortunate; but the intent was that the actual producers, representatives of those who would be vocationally and commercially interested in the production of the commodity, should be on the council.

Mr. BORAH. These amendments only came to our desks this morning, and it is difficult and perhaps not just to criticize them without further consideration; but I ask the Senator, how is this advisory board made up? I see that the President is to appoint the members.

Mr. SMITH. If the Senator will read the text of the amendment, it is provided that they shall be selected in accordance with the original text of the bill—that is, the names of prospective members are to be submitted by cooperatives and farm organizations—but it is not limited to that; and that is what we are trying to get away from, so that if, outside of those representing the farmers, there should be a more available man, a better man, he could be named.

Mr. BORAH. It may be that that is as close as you can get it back to the producer, but it is unfortunate if it is.

Mr. SIMMONS. Let me read the Senator the language of this amendment concerning the appointment of the board:

The advisory council shall be composed of seven members, to be appointed by the President, by and with the advice and consent of the Senate. No individual shall be eligible for appointment to a commodity advisory council unless he resides in the region in which the commodity is principally grown and is a producer of the commodity. Prior to the making of any appointment to a commodity advisory council the board shall transmit to the President for his consideration lists of individuals qualified for appointment, to be submitted to the board by cooperative associations or other organizations representative of the producers of the commodity.

Mr. BORAH. The effect of your amendment is to take the appointing power out of the board, and place it in the President?

Mr. SIMMONS. Yes.

Mr. BORAH. On the theory that the Senate can reject the appointments in case they are not satisfactory?

Mr. SIMMONS. Yes; in case they are not satisfactory, and in case they are not made in conformity to the provisions of the act.

Mr. SMITH. And one other view: If the board is given this appointive power, it goes without saying that these advisory councils would be hardly persuasive, because they would be the creatures of the board, and it is natural to suppose that they would more nearly represent what the board wanted than what was absolutely vital and necessary in reference to the particular commodity which they represented; and for that reason we suggested the present form.

Mr. HEFLIN. Mr. President, if the Senator will permit me, the Federal reserve act provides that each Federal reserve bank shall have a board of directors. It goes on to tell how they shall be selected, and what business they shall be engaged in:

Class A shall consist of three members, who shall be chosen by and be representative of the stock-holding banks.

Class B shall consist of three members, who at the time of their election shall be actively engaged in their district in commerce, agriculture, or some other industrial pursuit.

And it prescribes who shall not be on it:

No Senator or Representative in Congress shall be a member of the Federal Reserve Board or an officer or a director of a Federal reserve bank.

No director of class B shall be an officer, director, or employee of any bank.

No director of class C shall be an officer, director, employee, or stockholder of any bank.

So we have a precedent for the very thing that the amendment here undertakes to do. We have a right to say that this board shall be composed of farmers.

Mr. BORAH. I am not objecting to that feature of it.

Mr. HEFLIN. The Senator from Arkansas seemed to be objecting to that feature of it.

Mr. CAPPER. Mr. President, I am of the opinion that any plan for agricultural relief must take care of crop surpluses. That is one of the big problems confronting the agricultural industry of America to-day.

S. 3555, now before us, undertakes, among other things, to stabilize the prices of farm products by removing the surplus from the domestic market. If there is a loss incurred in the operation, each producer of the losing product is assessed his share of the "fee" to make up the loss. That is about all there is to the much-discussed equalization fee. It is not a charge against the Government.

In the new McNary-Haugen bill now before us, the proposed Federal farm board is directed to apply first the loan features of the bill to stabilize prices. If, with this assistance, cooperative and other farm organizations should be unable to bring about stabilization, the board may resort to the equalization fee.

I am of the opinion that surplus-control legislation without the equalization fee principle would be ineffective. The equalization fee is the most practical plan suggested for meeting the costs of the much-needed control of crop surpluses. In the light of the mass of testimony submitted to the Senate Committee on Agriculture by economists and other competent authorities, I say that we are abundantly justified in giving this plan a trial.

In any branch of legislation a perfect measure is not to be expected the first time. It is history that all constructive laws have to be strengthened and improved as experience indicates is necessary. This will, of course, be the history of farm relief legislation, and we might well be getting that experience now.

To deny the farmers the McNary-Haugen bill with the equalization fee is to deny them the benefits of the protective-tariff system. Leaders of farm organizations from all over the West have assured the Congress that their members are willing to pay this tax. They have particularly emphasized the fact that they do not want anything in the nature of a subsidy from the Government. I am sure that is the feeling of farmers generally.

The nub of the matter is that farming as an industry can not go on without a fair price for its products and a reasonable return on its investment. That means there must be some sort of a stabilized market.

What shall be the means employed to stabilize the market has been the chief question all along. So far nothing as likely to be effective as the equalization fee plan has been evolved in the six years farm relief has been debated.

Mr. President, I particularly commend that part of this bill which creates a Federal farm board to aid in the orderly marketing of agricultural commodities. It will pay this Government and its people to definitely organize agriculture as industry is organized and as labor is organized. The farmer himself will probably do this in time, but it will pay the Government to help and particularly to help the farmer organize his bargaining power. As I sense the thought of farm folks, they are eagerly looking for specific and concrete suggestions that will help them or enable them to help themselves in solving their immediate difficulties. They are more than willing to do their part in getting out of the slough onto solid ground. They are not asking for a subsidized profit or a pensioned existence from the Government. What they are looking for, I believe, is leadership from the Government—a leadership that will point out a good

road to travel and help them get started on it. And that is why I feel that the Federal Government might well assume the leadership in cooperative marketing to the extent that it would become the instrument of organization as well as the sponsor. The fostering of large-scale cooperative effort, as proposed in S. 3555, would be a good investment for the Government. Farmers would have the confidence in a Government-formed cooperative enterprise that they lack in a private or group formed cooperative enterprise. Once established, the Government would be in a position to withdraw itself and turn the proposition over to the farmer members.

Mr. President, the high cost of distribution hits the farmer coming and going. It depresses the price he gets for his products and he has to pay it when he buys manufactured products. The cost of distribution is undoubtedly one of the major agricultural problems and ought to be included in any national program for the relief of agriculture.

The governmental machinery set up in this bill will be of great assistance to the farmers' cooperative movement. Cooperative marketing of farm products appeals to me as being one of the best ways in which the problem of the high cost of distribution of foodstuffs may be solved. The fact that the consumer pays often more than twice as much as the producer receives for his food stuffs, due to the costliness of distribution, seems unjust. Certainly if some of the unnecessary selling machinery between the consumer and the producer could be eliminated, the two could divide the saving to the advantage of both. If the farmers can organize into great cooperatives which could control food products and feed them into the market, they would be in position to maintain a fair domestic price, because they would have control of the surplus. And were they in position to process much of this food it certainly, by virtue of its control, could reduce the costs of distribution.

Mr. President, our cities are now feeling the pinch that was bound to come as a result of the depression in agriculture. There was decided lack of optimism in the report of the National Industrial Conference Board following its careful survey of agriculture. And the business men's commission on agriculture of the United States Chamber of Commerce recommended rather general tariff reforms in the interest of the farmer—a remarkable demonstration of unselfishness on the part of well-protected business.

When such a business group admits that agriculture's difficulties "are traceable to the undue advantages that other groups have secured for themselves" through tariff laws, and so forth, can there be any further doubt of it?

In its appeal recently broadcast to editors of newspapers and magazines to support the pending farm legislation in Congress as all-important to business, industry, and finance, the Illinois Bankers' Association said:

The lack of real purchasing power of the farmer's dollar is not alone due to natural influences, but has been caused to a large extent by an artificial stimulation of other products brought about by prior Federal legislation. Therefore some balance in legislation is required.

Mr. President, that puts the case in few words. There is a farm problem, and that problem is to bring the agricultural industry up to the level of other industries, as the measure before us seeks to do. Until this is done we shall have a serious economic condition on our hands.

Note from these figures of the United States Department of Agriculture on the purchasing power of the farmer's dollar, what a rocky road to travel he has had all these years. One hundred cents represents the normal farm dollar:

	Cents
1914	103
1915	99
1916	72
1917	55
1918	53
1919	50
1920	41
1921	60
1922	60
1923	58
1924	62
1925	60
1926	62

These figures are sufficiently shocking as showing the low state of the industry. But the crop year ending June 30, 1927, recorded a decrease of 20 per cent in the farmer's net income compared with the preceding year. Besides that, the return for the labor of the farmer and his family declined nearly 10 per cent, while earnings of factory employees were as high in 1926-27 as in 1925-26.

Mr. President, it is nothing new for industries to be in need of legislation. Every industry from manufacturing to railroads, from labor to bankers, has been so helped and is being helped all the time to their benefit and the Nation's welfare in

most cases. The chief trouble of the farmer has been the disparity in the prices paid for farm products and the prices which the farmer pays for his necessities. This disparity, in my opinion, is caused in part by certain privileges and favors obtained from the Government by other groups which place the farmer at a disadvantage.

After a prolonged and gradually losing struggle the agricultural industry finds that if it is to go forward henceforth it must participate in the American protective system on an equality with other industries. Things can never be right in this country when the farmers' purchasing power is below par. Farmers have got to have a fair return for what they grow. Give them that and they can iron out their other difficulties without trouble.

Those who say the condition of the agricultural industry is improving permanently do not know the facts, or they disregard them. There is, of course, some temporary improvement occasionally, but the real farm problem is here to stay until we solve it.

Mr. President, I am convinced the passage of the McNary-Haugen bill will do more to relieve agricultural distress than any other measure now before Congress, but it is a mistake to assume that this measure or any other single measure can at once restore permanent prosperity to agriculture. I believe that a comprehensive national policy or program that will deal with all the factors causing agricultural distress is a necessity at this time.

The McNary-Haugen plan proposes an answer to the control of surplus production of export crops in such a way that the surplus sold abroad at the world price will not destroy the domestic price. I believe it is the best plan ever devised so far as that problem is concerned, but we must not lose sight of the fact that there are other problems that are almost as troublesome to the farmer as the problem of the surplus.

There is the problem of transportation costs, for example. Industry in the Middle West has been marooned by the present rate structure. Without necessary rail-rate readjustments the western farmer and the business man, too, see little relief for the future except the possible development of waterways. Prompt development of our internal waterway system is of the utmost concern to the agricultural prosperity of the central States.

Then we have the question of taxation which places such a huge burden on the western farmer to-day. The tax burden is proportionally greater on the farmer than on the rest of society. When it takes from one-fourth to one-third or even more of the revenue of the land to pay the taxes, where does the landowner get off? In many States farmers, individually and through their organizations, are striving to readjust and shift this tax burden, but we have no national policy on this question.

Our Government explores the world for the purpose of expanding foreign markets for our industrial products. But are we doing all that we can to extend the world markets for those products of the farm that make up approximately one-half of our total exports? Here is an idea that should be included in a national policy for the benefit of agriculture.

We have the question of adjusting the tariff to the benefit of agriculture. The tariff is undoubtedly quite a factor contributing to the present disparity between the prices received and the prices paid by the farmer, but even the farmer does not want to see the business of the Nation destroyed by a sudden tariff revolt.

I say, Mr. President, it is time for Congress to get down to the real solution of the farmer's problem by drafting the best brains of the Nation and putting them to the task of building a broad and lasting program for agriculture as a matter of public policy. The more specific a national agricultural program can be made the more likely it is to have a salutary effect not only on farmers but on everyone else.

Vital to the prosperity of the Nation, Mr. President, is the working out of this national agricultural program, a program which will give the farmer a square deal in production, in transportation, and in marketing, a program which should embody a national policy that would persist for generations, so that agriculture shall prosper and bring prosperity to all.

In my judgment, Mr. President, this bill will be a big step in the direction of solving this national problem, and should be passed at once.

I ask unanimous consent to include as a part of my remarks a statement from Mr. Ralph Snyder, president of the Kansas State Farm Bureau, in support of the pending bill.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

KANSAS STATE FARM BUREAU,
Manhattan, Kans., March 20, 1928.

Senator ARTHUR CAPPER,

Washington, D. C.

DEAR SENATOR CAPPER: I have, during the past six months, made quite a careful canvas of the sentiment in Kansas for and against the McNary-Haugen bill. I find without any question a very strong sentiment for this measure. This is especially true since the new bill has been introduced. While, of course, a great many know comparatively little about it, yet they nearly all feel that it should be given a thorough trial. They do not feel that any other measure that has been proposed is much more than a mere gesture, and the Kansas farmers are tired of gestures. The one possible exception is the export debenture plan which has been indorsed by the Grange, but I find the objection to that that it is a direct subsidy, and as such, hurts the pride of the Kansas farmer, who, as we all know, is a very independent spirit.

Late advices from Washington seem to indicate there may be some trouble in getting the measure through Congress. I have talked to a great many influential farmers. They seem to be unanimously of the opinion that we would be better off with nothing at all than with something that would be ineffective.

You will perhaps be interested in knowing that a resolution indorsing the McNary-Haugen bill with the equalization-fee principle received more enthusiastic indorsement than any other resolution passed at our recent annual meeting at Dodge City; that the Kansas Agricultural Council, composed of representatives of all the farm organizations of the State, indorsed the principle, as did also the State board of agriculture at its recent meeting. Previous to all of these the State farmers' union in their annual meeting passed a strong resolution for the measure. No opposition developed in any of these meetings. You, of course, know that the State board of agriculture has been very conservative on this matter—in fact, quite a number of them were formerly opposed to any such measure. The fact that this went through with no opposition this time is very encouraging to me.

I am writing this, thinking perhaps you would be interested in knowing what the situation is here.

Sincerely yours,

RALPH SNYDER, President.

Mr. BORAH. Mr. President, I am not going to enter into any extended discussion of this bill, but there is one proposition which I should like to call to the attention of the advocates of the bill. I feel that we ought seriously to consider the proposition of eliminating the equalization fee and making an appropriation direct for the purpose of testing this experiment. There is no advocate of the bill but will admit that this proposition is an experiment. Able men believe it could be made effective to aid agriculture, and great economists and other men who have studied the subject believe that it will break down. I have a view in regard to that, but I am perfectly willing, for the purpose of the presentation of this matter, to take the view that it will succeed.

The great, fundamental proposition underlying legislation with reference to the farmer is to place him upon an equality with the other enterprises and industries of the country. It is claimed, and justly claimed, that for the last few years the farmer has been operating under a legal and economic system which places him at a disadvantage in the industrial world by reason of his inequality, and there is no point at which that inequality is more distinct and marked than with reference to taxation. As that is the basis upon which I wish to found this part of my argument, I want to call attention to some facts with regard to that.

In 1913 taxes took about one-tenth of the farm receipts, less other expenses. In 1921 taxes took about one-third of the farm receipts, less other expenses. From 1913 until 1921, eight brief years, the taxes had increased the difference between one-tenth of the farm receipts less other expenses and one-third. So long as that creeping paralysis continues there is no conceivable form of legislation which will settle the farm question.

Mr. GLASS. Would the Senator call it creeping paralysis? It seems to me it has made a pretty rapid pace.

Mr. BORAH. I accept the amendment. In 1926 taxes were in excess of farm receipts. In 1913, 155 farms in Indiana, Ohio, and Wisconsin paid taxes to the extent of \$112 per farm. In 1921 those farms paid taxes to the extent of \$253 per farm.

In 1914 general property taxes paid by farmers were \$344,000,000, roughly speaking, equal to two-fifths of the value of the wheat crop of that year. In 1922 the general property taxes paid by farmers were \$797,000,000, approximately equal to the entire wheat crop of that year. In 1926 the general property taxes of farmers were \$890,000,000. I repeat, Mr. President, that there is one of the problems which must be considered in connection with farm relief. Any plan which increases his tax

burden, any scheme which adds to his outlay, is not only injustice to him but it continues that inequality against which he is now struggling.

It will be seen that the increase of taxes continues to take practically the farmer's crop. Farm taxes can not be shifted like taxes on manufactured goods. The farmer's property is all in sight. Everything he has is there. Although the war ended five years ago our Federal taxes are about five times what they were in 1914; \$700,254,490 in 1914, and in 1925 there were \$3,529,640,000.

Again, Mr. President, the ratio of taxes to income in 1913 was, farmers 10.6 per cent, as compared with 4.1 per cent for the remainder of the community. While we are considering the question of imposing a special tax, or a special fee, upon the farmer, in order to enable him to enjoy remedial legislation, do not forget that for years he has been paying a tax which amounts to 10 per cent of his income, compared with 4.1 per cent for the remainder of the community.

In 1922 the ratio of taxes to income of farmers was 16.6 per cent, as compared with 11.9 per cent for other people.

If that is the true situation—and I have gathered these figures from sources which I think will not be questioned and from different sources, but they are all practically the same, upon what possible theory can we hope to establish the equality of the farmer with the other industries of the country when we propose to impose upon him a tax to take care of whatever remedial legislation he is to enjoy? Upon what theory can we ask the farmer to pay especially for remedial legislation, a thing which has never been imposed upon any other industry in the United States? Let us assume this tax is constitutional. Is it just, is it equitable, is it doing what you profess to do, giving the farmer an equal opportunity in the struggle for success? How many farms now ready to be sold for taxes will you save from the hammer if you continue this inequality?

I look upon the farm problem as a national problem. No one can appreciate its present condition and not recognize that it is a national problem. We are legislating to-day not for a class but for the whole country. It is just as essential that the United States have prosperity upon the farm as it is that it have prosperity in the manufacturing establishment. And yet we impose a duty for the purpose of protecting manufactured articles, which costs the manufacturers not one cent, and in order to give the farmer the other end of protection we propose to impose upon him a tax which is to take care of his remedial legislation. Under that rule of legislation the farmer will always suffer the inequality which he suffers at the present time.

If we eliminate the equalization fee we eliminate practically every legal proposition about which there is any controversy in the bill. There is one legal proposition which has been suggested and that is the lack of power of the Congress to appropriate money for the purpose of experimenting upon the proposition. I am not going to take the time of the Senate to read many authorities. I think the able Senator from Oregon [Mr. McNARY] stated the rule the other day, and stated it correctly. I believe there are ample decisions to sustain his position, and certainly there are ample precedents in legislation. It would be easy to gather a multitude of precedents so far as legislation is concerned, and in my opinion it would be easy to gather a sufficient number of authorities to show that these precedents are within the Constitution. Senators will recall the case which involved the payment of a bounty to the sugar raisers, in which it was undertaken to appropriate from the Treasury of the United States a sum to be paid directly to a certain class of agriculturalists to encourage them in the raising of a particular product. It was a direct appropriation from the Treasury to a limited number of agriculturalists, and that act was sustained. The Supreme Court said, reading from the syllabus:

The appropriations of money by the act of March 2, 1895, to be paid to certain manufacturers and producers of sugar who had complied with the provisions of the act of October 1, 1895, were within the power of Congress to make, and were constitutional and valid.

It is within the constitutional power of Congress to determine whether claims upon the public Treasury are founded upon moral and honorable obligations, and upon principles of right and justice; and having decided such questions in the affirmative, and having appropriated public money for the payment of such claims, its decision can rarely, if ever, be the subject of review by the judicial branch of the Government.

The decision seems to me fully to support the syllabus.

Mr. Cooley in his Constitutional Principles states that where the Congress appropriates money with a view to serving the public interest, it is beyond the power of the courts to review the question. I do not know whether the courts will ever go

so far as to say that the judgment of Congress is conclusive, but the rules which it has established in their practical results amount to that proposition.

But here, Mr. President, is distinctly a great public interest. The whole country is involved in the success of agriculture. The breakdown or the driving of the farmer into peonage would be no less a national disaster than the breakdown of the manufacturers of the country. It would be no less a disaster in the long run than the breakdown of our transportation system. It is distinctly a matter which touches the weal or woe of every man, woman, and child in the United States. Does anyone contend that Congress may not make an appropriation to furnish the means which will rehabilitate and restore a great enterprise or a great industry which touches the welfare of the entire country? And, the authority being granted, is it anything less than an injustice to ask the farmer to experiment with his own pocketbook in determining whether or not the plan will effectually bring him desired results?

Mr. President, if we should appropriate at this time \$500,000,000, it would not equal the amount of taxes which the American farmer has paid into the Treasury of this country in excess of the proportion which he should have paid as compared with other industries.

Mr. EDGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from New Jersey?

Mr. BORAH. I yield.

Mr. EDGE. Does the Senator understand, as we have been so frequently told, that a large majority of the farmers of the country are directly back of the equalization plan?

Mr. BORAH. Well, Mr. President, there may be some farmers back of it. I do not know. I will say in all sincerity that after two years of travel among the western farmers I have yet my first farmer to find who is in favor of it, except upon the theory that he can not get anything better. I will say, however, that over and over again the farmer has said, and that is the reason why this bill is being supported by the farmer, that he does not believe they can get what they ought to have, and that is remedial legislation, without paying for it. The reason why the farmer is for the bill is that it is the only alternative which he sees of possibly taking care of his situation. Take the proposition to any farmer or any group of farmers who farm, and ask them if they, while paying the taxes which they pay, can keep apace with the other industries of the country by paying for their own remedial legislation, and they will tell you distinctly how they feel about it. If a man can not get justice he may be willing to take much less and that much less may be very unjust.

Mr. President, suppose the farmer is, so far as he understands it, in favor of the proposition, the question is how does it appeal to us as legislators? I would like to ask Senators who are supporting the bill how it appeals to them to impose upon the farmer a burden which we have never presumed to impose upon any set of citizens asking for remedial legislation? The great fight with the farmer is for equality of position in the industrial world. He will continue to pay, after we pass the bill, the same high prices for manufactured goods. He will continue to pay the same high price for every article that goes into his living, with the exception of what he raises. He will continue to pay the same high freight rates. He will be in exactly the same relationship to the world after the bill passes that he was before it passed. In addition to that, he will be paying every charge which a board, in its unlimited discretion, sees fit to impose upon him. He will be subject to a board before whom he can not be heard and from whose decision there is no appeal, and that board will fasten upon him whatever fee it sees fit, and he must pay whether he wins or loses by the experiment.

There is another reason which we ought to consider very carefully. It is almost a certainty that the bill will be vetoed with the equalization fee in it. I state that solely upon the ground of the last veto message and the accompanying statement from the Attorney General. The fair presumption is that the bill will be vetoed upon the theory that the President in all probability has not changed his mind, and in all probability he will not change his position until he does change his mind. If that is true, why not eliminate the questions which justify the veto and pass a bill with an appropriation to test the proposition? If time proves that it is successful, and the farmer still wants his equalization fee instead of an appropriation from the Treasury, perhaps we could get it in the future. It is almost a certainty that we will not get it at the present time. But if later the farmer still yearns to pay this fee, perhaps such privilege might be granted.

So, I say, how are we going to place the cotton raisers upon an equality with the manufacturers and make them pay for

their legislation? How are we going to place the wheat grower upon a level with the manufacturer when the manufacturer gets his protection free and the farmer must pay for his protection? We are embedding and incorporating and driving into the legal system of the country a recognized principle of discrimination against one class of people, and we will regret it if the Supreme Court should go the full distance which it started upon yesterday and hold that we have no Constitution at all. It is unjust to the farmer; it continues his inequality. He asks for bread and you give him a stone. I insist we ought to do for the farmer what we profess to do—give him equality.

Mr. FESS. Mr. President, when the Senator asked me yesterday whether I would vote for an appropriation, I had another matter in mind. I thought the Senator had in mind an appropriation to experiment upon legislation of this sort. I did not understand that he was offering an appropriation to make any experiment as to what the farmer might be able to do. If that is the case, we have incidents which are in favor of it.

Mr. FLETCHER. Mr. President, I would like to inquire of the Senator from Idaho if he has offered an amendment with reference to the equalization fee? If he desires a bill with that provision stricken out, will he offer an amendment to that effect?

Mr. BORAH. I would vote for the bill and I would support it, if the equalization fee were stricken out. I have not prepared an amendment. I can do so. After I looked over the amendments which have been offered to-day, it is, in my opinion, a very slight step from the amendments which have been offered to the elimination of the equalization fee. It will require very little effort, in my judgment, to eliminate it. If I find any considerable support for it, I shall offer such an amendment. I shall not if I find no considerable support.

Mr. McKELLAR. Mr. President, I want to ask the Senator from Idaho a question. What suggestion would the Senator offer or what amendment would the Senator offer to take the other step?

Mr. BORAH. All we have to do is, by appropriate language, to increase the appropriation and to eliminate section 8.

Mr. McNARY. Mr. President, I want to speak but briefly, inasmuch as others are desirous of speaking. I discussed the bill quite at length when the matter was before the Senate last week.

The Senator from Idaho [Mr. BORAH], in his very able way, has presented a problem or two which have been given very serious consideration by the Senate Committee on Agriculture and Forestry and by farm groups generally. It is very enticing to say that by removing the equalization fee the taxpayers of the country should take care of all losses that may be incident to the operations of the board. That would be a subsidy pure and simple. I do not know of a farm organization, outside of the Grange, that has asked for a subsidy. The farmers of the country, represented by the heads of their organizations and through meetings, have all decided that they would rather have a long-time permanent policy, to which they could turn and which they could invoke when needed, rather than a short-time plan of a subsidy which is nothing but a draft upon the Treasury of the United States.

Of course, indeed, it is alluring to talk about the Treasury taking up these losses; but everyone knows who has followed the attitude of the President of the United States that he has repeatedly said that he would veto a subsidy or any draft upon the Treasury of the United States. I feel as morally certain as anyone could feel that if any bill carried a provision such as suggested by the Senator from Idaho, it would meet with prompt rebuke by the President of the United States. The bill now before us may be vetoed; I do not know; but the farmers of the country realize that if they should come to Congress and ask Congress for aid, as suggested by the distinguished Senator from Idaho, and would accept out of the Treasury of the United States, paid into it by the taxpayers of the country, annual losses accruing from the sale of their surplus products in foreign markets or from withholding their products, there would be such a protest go over the country against a subsidy in that form that this legislative structure would fall upon the heads of the farmers themselves. It is in order to avoid that catastrophe that the farmers have agreed to pay, by way of an equalization fee, a small portion of the benefit they will receive.

Mr. President, the argument of the Senator from Idaho [Mr. BORAH] is captivating but not logical. He is wrong, I think, in this. He has stated that the farmer by virtue of the levy of an equalization fee will be required to pay for a benefit which the manufacturer receives without compensation. I say that is not correct.

The manufacturer when he finds himself producing a surplus sells it abroad at the world's price level as advantageously as he can, and takes his loss. His profits are made in the domestic market, enjoying the higher level of prices. There is many a manufacturer who, finding himself unable to take full advantage of the protective tariff, must sell his surplus abroad. He sells it at that time on the competitive world market and upon the competitive plane of prices. That manufacturer in many instances loses money on the products he sells in the foreign countries; in any event, it is a reduced profit which he receives, his main profit being that which he realizes from the sale of his products in the protected home market of America. His equalization fee is paid by himself through personal losses or corporation losses. The losses he suffers are in principle as much an equalization fee as is the equalization fee which the farmers as a group must pay for their losses.

Hence, Mr. President anyone who understands the principles of economics and the rules which guide business men, must know that when a manufacturer sells abroad, the world price being less than the domestic price, made so by the tariff, he always suffers a loss. Hence the protection he receives under the tariff is bought at the price of receiving a lower sum for the goods which he sells abroad. So, by protecting our domestic market against competition and making available the protective tariff, behind whose wall the manufacturer produces and sells at a profit, the manufacturer is willing, and properly so, to make up the losses because of the benefit he receives. The farmer knows if the equalization fee should be destroyed, that any structure which Congress may build must fall.

I want to say to the Senator from Idaho—

Mr. BARKLEY. Mr. President, will the Senator from Oregon yield to me?

Mr. McNARY. I will yield in just a moment. I want to say to the Senator from Idaho that, as one, I am not afraid, as an experiment, for Congress to take out of the Treasury certain sums of money that might make up the losses occasioned by selling in foreign markets or by withholding cotton for orderly marketing in order that the world price may be influenced. I even went so far, and farther than my distinguished friend, as to prepare a bill along that line.

I found that proposal of mine did not meet with approval among the farmers of the country nor did it meet with the approval among the administration heads. So I fell back upon the other proposal, namely, that the equalization fee was the only practicable way over a long period of time to take advantage of the tariff.

Mr. President, speaking as one who has had a little experience and one who has received many communications and messages from farmers and farm groups throughout the country, I desire to say I have no doubt that if this bill should be amended—and it would not hurt my feelings personally—so as to eliminate the equalization fee, it would not be acceptable to the farmers of the country, because they do not want to become objects of charity; they do not want to ask Congress annually to put up a large sum of money to take up their losses. They realize, Mr. President, that unless they carry this burden themselves this legislation would be of short duration. They are asking for machinery which they can operate and for which they can pay. All losses and charges incident to the handling of their annual crops they are anxious to pay for upon the theory and upon the substantial and sincere belief that that is the only way to bring about permanent legislation.

Mr. McLEAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Connecticut?

Mr. McNARY. I yield.

Mr. McLEAN. The Senator from Oregon will bear in mind that when we put a bounty on sugar it was because in this country we produced no sugar. The object of the bounty was to stimulate domestic production. What does the Senator think would be the effect of putting a bounty or a subsidy upon products which we already overproduce? What would be the effect of a direct bounty on a surplus?

Mr. McNARY. That is one of the plans which have been suggested by the National Grange, which is known as the debenture plan.

Mr. HARRIS. Mr. President, may I interrupt the Senator at this point?

Mr. McNARY. If I may be pardoned to answer the question of the Senator from Connecticut [Mr. McLEAN], I shall be glad to yield to the Senator from Georgia, and perhaps to yield the floor.

The plan referred to by the Senator from Connecticut is the plan which has been proposed by the National Grange, with which I have no quarrel; but, Mr. President, I have not known,

through many years of actual experience, where the farmers of the country or groups of farmers have ever favored any legislation that even winked at a subsidy; and I have seen the farm leaders throughout the country oppose in all its vicious forms legislation that carried a subsidy or assistance from the Treasury of the United States.

Mr. President, if they are to be consistent, if they are to follow that precedent and tradition which they have established for themselves, can they come here and ask Congress to appropriate \$50,000,000 or \$100,000,000 or \$500,000,000 or \$600,000,000 to take up the losses which they have incurred by reason of overproduction? I think it is entirely to their credit; I think no more glorious tribute can be paid to the farmers of the country than to say that they are willing to take up all the losses themselves for the benefit they will receive, and not ask for an appropriation from the Congress.

Mr. McLEAN. Mr. President—

Mr. McNARY. I yield to the Senator from Connecticut.

Mr. McLEAN. I am not so much concerned over the constitutionality of this bill, I will say to the Senator, as I am with regard to its effect. I do not want to vote for a proposal that will remove the farmer from the frying pan and place him in the fire. I do not think the frying pan is quite so hot as it is said to be, but I do not want to make it any hotter than it is. I have been told that the purpose of the equalization fee was to encourage a restriction of production.

Mr. McNARY. Oh, Mr. President, I do not think the Senator quite entertains that idea.

Mr. McLEAN. I have been told so by gentlemen who are deeply interested in this bill.

Mr. McNARY. No; Mr. President, the Senator knows the purpose of the equalization fee is to prevent losses.

Mr. McLEAN. The way to prevent loss lies in reducing production, does it not?

Mr. McNARY. If the Senator will permit me to make a full answer, I shall be glad to do so.

Mr. McLEAN. I shall be glad to have the Senator do so.

Mr. McNARY. The only purpose of the equalization fee is, of course, to take up the losses that accrue from overproduction—I will not say overproduction, but a surplus which must move to a lower price level in foreign countries—and to make the tariff applicable to the farmers of the country.

Secondly, Mr. President, it will have, it is thought by those who have given some study to this bill, a deterrent effect upon overproduction, because as the surplus increases so does the equalization fee. If there are 200,000,000 bushels surplus to sell, the equalization fee would be twice as much as if there were only 100,000,000 bushels to sell. It is supposed, therefore, that it will be a deterrent against overproduction.

Mr. McLEAN. That is just what I thought.

Mr. McNARY. Furthermore, there is in the bill this year a provision which was not in any of its predecessors, to the effect that if there is overproduction in violation of the program prepared by the farm board the board will not operate through marketing agreements as to that particular product. That is the second deterrent against overproduction.

Mr. McLEAN. Then the Senator admits that if we are to control the price of a product it is important that we should control the quantity produced and the quantity consumed.

Mr. McNARY. That is academic, of course.

Mr. McLEAN. Yes; and I assume that was one of the reasons why the equalization fee was put in this bill.

However, the Senator has not answered my first question, which was, What effect does he think the granting of a bounty or a subsidy would have upon the quantity produced?

Mr. McNARY. I did not understand the Senator propounded that question.

Mr. McLEAN. Yes.

Mr. McNARY. I presume without the two deterrents in this bill to which I have just referred, there would be caused an increase in production. If unrestrained and unrestricted by any agency or principle at all, I suspect, in that event, there would be an increase in production.

Mr. McLEAN. As we have had a surplus of wheat in this country for more than a century, with one year's exception, how many years of surplus does the Senator think the Treasury could afford if it provided a direct bounty?

Mr. McNARY. I do not think the farmers of this country want the Treasury to stand one penny.

Mr. CARAWAY addressed the Chair.

Mr. McNARY. I yield to the Senator from Arkansas.

Mr. CARAWAY. I beg pardon; I thought the Senator had concluded.

Mr. BARKLEY. Mr. President, will the Senator permit me to ask him a question before he takes his seat?

Mr. McNARY. Certainly.

Mr. BARKLEY. In all the legislation which has been passed by Congress, some of which has been adverted to during the course of the debate, has there ever previously been an instance where the beneficiaries of the legislation came forward and proposed out of their own pockets to bear whatever loss might be sustained through the operation of the law?

Mr. McNARY. I think history may be searched in vain to find a parallel; there is no such instance.

Mr. CARAWAY obtained the floor.

Mr. BROOKHART. Mr. President, I should like to ask the Senator from Oregon a question or two, if the Senator will permit me.

Mr. CARAWAY. Certainly; I yield for that purpose.

Mr. BROOKHART. The Senator says that a direct appropriation would be a matter of charity. I want to ask him if it was not a matter of charity when \$529,000,000 was appropriated directly out of the Treasury of the United States to pay the railroads their war-time profits after they were turned back?

Mr. McNARY. Mr. President, I can answer that by saying that I voted against the Esch-Cummins Act.

Mr. BROOKHART. Very well. Is it not a charity when the protected industries come along and ask Congress to enact a law putting on a protective tariff that will raise the price on the whole community, and transferring the profits of that price into the pockets of the manufacturers of the country? Is not that a charity out of the Treasury of the United States?

Mr. McNARY. No, Mr. President. I am a strong advocate of a protective tariff. I think we all recognize that if we are to have a higher standard of living in this country, we must protect ourselves from the cheaper labor found in the Orient and in Europe.

Mr. BROOKHART. The Senator, then, is in favor of that form of public charity?

Mr. McNARY. That is not public charity; that is protection against a lower standard of living; and by this bill I propose to do for agriculture that which we have heretofore done for industry.

Mr. BARKLEY. Mr. President—

Mr. BROOKHART. Is it a charity when the laws and the courts award a return to the capital invested in public utilities generally, say, of 7 per cent, when the people as a whole can only produce 5½ per cent?

Mr. McLEAN. Mr. President, will the Senator permit me to answer that question?

Mr. CARAWAY. Mr. President, we can not settle this question of railroad subsidies, nor can we agree about the tariff. My friend from Connecticut yesterday said that they had a tariff in order to stimulate competition. I have heard a great many statements of why we enacted a protective tariff, but that was a new one. In other words, they did not have enough competition, and they got a high tariff so that they would have more.

Mr. McLEAN. Mr. President, will the Senator permit an interruption there?

Mr. CARAWAY. Yes.

Mr. McLEAN. I think the Senator from North Carolina yesterday gave us an illustration which very fairly and conclusively presents the tariff question as it is involved in this discussion. It will take only a minute for me to call it to the attention of the Senate.

Mr. CARAWAY. I hope the Senator from Connecticut is not going to make the speech of the Senator from North Carolina over for him.

Mr. McLEAN. It was a very interesting speech, and I was very glad to have it in the Record.

Mr. SIMMONS. I did not correct it, but I suppose it is correct.

Mr. McLEAN. The Senator said that the manufacturers of cotton cloth in North Carolina, by reason of the proximity of the raw material and the somewhat lower wages, and the fact that they had nonunion employees—

Mr. SIMMONS. Open shop.

Mr. McLEAN. Open shop—were enabled to produce this article cheaper than it could be done in New England. As we all know, the cotton-cloth manufacturers in New England have been suffering a serious period of depression. The cotton-cloth manufacturers of New England have the tariff, just the same as the farmer; but it so happens that North Carolina can produce cotton cloth cheaper than it can be produced in New England.

Mr. SIMMONS. Mr. President—

Mr. CARAWAY. I do not think we should go into the cotton tariff at this time.

Mr. McLEAN. I hope the Senator will pardon me just for a minute or two.

Mr. SIMMONS. Will the Senator from Arkansas permit me to say a word in reply?

Mr. CARAWAY. I yield the floor.

Mr. McLEAN. I am very much obliged to the Senator. I will accept his offer. Now, you see, we have precisely this position—

Mr. SIMMONS. I was going to ask the Senator from Arkansas to permit me to reply briefly to the Senator from Connecticut. I did not want to take the Senator from the floor.

Mr. CARAWAY. That was entirely irrelevant to the question we were going to discuss.

Mr. SIMMONS. I am willing to agree to abandon the floor.

Mr. CARAWAY. No; I will abandon it.

Mr. McLEAN. I shall not occupy the floor more than a minute. I should like to conclude my statement; that is all.

Mr. SIMMONS. I want to ask the Senator from Connecticut if he proposes to apply the protective tariff as between the States of the Union?

Mr. McLEAN. That is precisely the point I was coming to, and I should like to call it to the attention of the Senate.

We have the cotton-cloth producers in New England in precisely the same position that the farmers are in. They have a foreign tariff, but it does not protect them. The farmer has his tariff on wheat, but it does not protect him. Now, the farmers in North Carolina are in bad shape, and the Senator from North Carolina, who was born and bred a low-tariff man, takes the floor of this Chamber and says that he wants the farmers in North Carolina protected against competition emanating from the farmers of South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas.

Mr. SIMMONS. I have said nothing of the kind, and nothing that could be construed into anything of the kind. I have known the fact for the last 30 or 40 years that North Carolina has to grow cotton in competition with Texas and that Texas could produce a bale of cotton for much less than it costs to produce a bale of cotton in North Carolina.

Mr. McLEAN. That is very true. I do not think the Senator understood my statement, however.

The situation is precisely this: We have a tariff to protect us against ruinous foreign competition, and I hope we shall continue to have it; but now the proposal is to protect the farmers of one State against the competition emanating from the farmers of other States, and I confess this is the first time I have ever heard that proposed from the other side of the Chamber.

Mr. EDGE. In other words, that is a system of protection.

Mr. McLEAN. Certainly.

Mr. SIMMONS. Mr. President—

Mr. McLEAN. I should like to conclude.

Mr. SIMMONS. I will not interrupt the Senator.

Mr. McLEAN. As I have said, I wish we could discover some way to help the farmer; but the proposal of the Senators who advocate this legislation is to help the farmer by giving him protection against domestic competition. That means that they want to discover ways and means to take care of a domestic surplus. There is only one way that you can do that, and that is by controlling the amount produced and the amount consumed; and if you think you can do it by putting a bounty or a subsidy on a surplus, you will find yourselves drowned in your own stew.

That is all I have to say on the subject.

Mr. SIMMONS. Mr. President, when the farm relief bill was formerly before the Senate I argued that question at length. I insisted then that all that was demanded was the control of the surplus of such crops as otherwise would be put upon the basis of the world's price. That was my contention then, and that is my contention now—that this bill will be invoked for the benefit of those products which otherwise, because of their surplus, would be put upon the basis of the world's price.

I want to say to the Senator from Connecticut that in this particular instance the farmers are not attempting to protect themselves by a tariff against the products of other sections or other industries, but they are simply attempting to do a thing that is calculated and intended to enable them to obtain for their products a reasonable price upon the basis of the American market price.

Mr. McLEAN. To save themselves from the effect of domestic competition.

Mr. SIMMONS. Now the Senator says that we are combining against the balance of the community, and we are setting up what is substantially a protective tariff of one section against another section. We are doing nothing of the kind.

The effect of the tariff that has been enacted and is now upon the statute books would be to bring about competition between the manufacturers of the country, but for the fact

that the manufacturers of this country protect themselves against that domestic competition by either combining themselves into a trust or covering themselves with a trust and price agreement by which they practically do not compete with each other at all.

When I first began to study the tariff, a great argument made by the Republican Party in support of the protective tariff was that it would result in forcing the manufacturers to compete in the home market and the result of that would be that the people would get the benefit of competitive prices; but then along came the trusts, and these industries entered into these trust arrangements by which they protected themselves against domestic competition, and that argument in favor of the protective tariff has not been used in recent years.

We passed trust legislation; but everybody knows that that legislation has been so attenuated by the decisions of the courts that it has practically no effect at this time, and that the great majority of the industries of this country are operated not upon a basis of domestic competition, but upon a price-fixing basis, prices fixed by themselves, with the price so fixed as not to contravene the decisions of the Supreme Court. I think that is true with reference to practically all the great industries.

I can not see any just ground for the industries opposing this legislation. I can not see any basis upon which the Senator from Connecticut can oppose this legislation, except that the industries already protected, already enjoying through the trusts and combinations a guaranty against domestic competition—protected, therefore, against foreign competition and protected against domestic competition—are insisting that agriculture shall not enjoy like benefits; for what reason? For the reason that they fear that it will impair the value to them of the special privilege they have been able to obtain for themselves by legislation and favorable administration, and it might increase their costs.

Mr. McLEAN. Mr. President—

Mr. SIMMONS. If the Senator puts his opposition upon that ground, I can understand it; and I believe that nine-tenths of the opposition to this bill coming from the industrial States, such as that represented by the Senator, comes from the apprehension of the manufacturers that the farmer having been given this aid—that is, having been allowed by this process to get some advantage of an increase in price, so that that price will be something like commensurate with the prices of the things he has to buy—that will result in an increase in the cost of labor by increasing the cost of living.

Mr. McLEAN. I do not think the Senator means to insinuate that there is anybody in this country who does not want to see agriculture prosper. I do not believe there is. I do not believe there is a Member of this body who does not want to see the farmer prosper.

Mr. SIMMONS. Why, then, does the Senator object to a proposition the purpose of which is, and the effect of which will probably be, to increase to some extent the prices of agricultural products?

Mr. McLEAN. I am trying to make it clear to the Senator. The Senator said that the manufacturers can combine, or enter into agreements, whereby they can control their surplus. The Senator knows that the New England manufacturers of cotton goods can not combine with the manufacturers of North Carolina, and as a consequence the manufacturers of cotton goods in New England are going out of business. The only way they can control their surplus is to close their mills. That is so with a great many producers in this country, corporations; we have been told many times that more than 40 per cent of the corporations of this country are doing business at a loss.

The point I wanted to call to the attention of the Senator—and I do not think he has caught it yet, and if he will pardon me I will repeat it—is this, that the cotton manufacturers in New England and the farmers have a tariff. Every bushel of wheat that comes into this country pays the tariff, and every yard of cotton cloth that comes into this country pays the tariff. Unfortunately, that tariff is not high enough to protect the New England manufacturers because of the competition in North Carolina. So that the New England manufacturers of cotton cloth are on precisely the same basis as the farmers in the Senator's State.

The cotton-cloth manufacturers of the country, and those who are making other goods, realize that they can not come to Congress and ask Congress to take care of them, and by granting them an indirect bounty enable them to continue in business at a profit. That is what the farmers want. They have a domestic surplus. They claim the tariff does not benefit them. They want help. They want to control and dispose of that surplus. I would like to see it done. The only point I make is that you can not do it by artificially raising the price.

The Senator knows that every bushel of wheat grown in the country is a part of the surplus as it affects the price, and my belief is that when you attempt this legislation you will encourage rather than discourage overproduction.

Mr. GOODING. Mr. President, will the Senator yield to me?

Mr. McLEAN. I yield the floor.

Mr. GOODING. I do not want to interrupt the Senator, but I want to say to him that if the farmer should get the world price for wheat plus tariff protection of 42 cents he yet would not be getting the cost of production as found by the Government itself in its investigation. So that he is not going to get enough of an increase in price to bring about the great overproduction the Senator fears at all. He would not get the cost of production if he had all that. The actual cost of production as found by the Government was \$1.48 for the Northwestern States, as against Canada.

Mr. McLEAN. The Senator does not want Congress to appropriate just enough money to enable the farmer to continue in business at a loss, does he?

Mr. GOODING. The farmer is willing to take care of that if we will give him an opportunity, and he has made up his mind what farm legislation he wants. For four years now the Committees on Agriculture of the Senate and House have been considering this legislation.

Mr. McLEAN. I realize that.

Mr. GOODING. And during that time every farm organization in America has been before those two committees, and, without exception, they have gone on record for this bill. The Grange now would prefer a direct subsidy, and perhaps a lot of other farmers prefer that.

Mr. McLEAN. What does the Senator think would be the effect of a bounty on the surplus?

Mr. GOODING. It would be disastrous; there is no doubt about that. That is just exactly what a subsidy would be, because there would not be any responsibility on the part of the farmer; it would be all on the Government.

Mr. McLEAN. How much more disastrous would a direct subsidy be that raised the price of wheat 30 cents a bushel than an indirect equalization fee that would raise the price 30 cents a bushel.

Mr. GOODING. They are altogether different, because the farmer has to tax himself in order to get 30 cents a bushel.

Mr. McLEAN. If he is making 30 cents a bushel—

Mr. GOODING. But he is not getting the cost of production of a bushel of wheat, as found by the Government itself; and I rather think that it was a rather conservative investigation, because a part of the Tariff Commission at that time was not very friendly as far as the tariff was concerned, and the commissioners themselves divided. A part of the commission wanted a still higher cost of production and believed that the investigation found it, but the majority of the commission decided that 42 cents was the difference between the cost of production of a bushel of wheat in this country and in Canada.

Mr. McLEAN. Mr. President, if the farmer needed 50 cents or 60 cents a bushel—whatever he might need for his protection I would be glad to give to him.

Mr. GOODING. All right; if the Senator will give him the tariff, that is all he wants.

Mr. McLEAN. I would be glad to give it to him against foreign competition.

Mr. GOODING. That is all he is asking for, and he can not get it.

Mr. McLEAN. As long as he has a domestic surplus, it is going to be very difficult for him to get that benefit by legislation that will invite an increase in production.

Mr. GOODING. Let me show the Senator the effect if this bill shall pass with the equalization fee, and in my judgment it can not be passed without the fee; and do not forget that this fight is going on. The farmer has his back to the wall and he has to fight for his very existence. You have created a new civilization through legislation, you have created an increased cost of production that he could not meet, and you can not do him any good unless you give him an increased price to meet that increased cost of production. That is what he is fighting for. The farmer is fighting to do business along the same lines along which great industries are doing business, by the same methods; that is all. If this bill passes it gives him a board of directors that will transact his business for him.

Mr. WATSON. Mr. President, what is the question before the Senate?

The PRESIDING OFFICER (Mr. STEWART in the chair). The bill is before the Senate as in Committee of the Whole and open to amendment.

Mr. WATSON. Is there not some amendment pending?

The PRESIDING OFFICER. There is no amendment pending.

Mr. WATSON. Then let us go on and pass the bill.

Mr. WATERMAN. Mr. President, I offer two interrelated amendments to the pending bill, which I send to the desk that they may be read.

The PRESIDING OFFICER. The clerk will read the proposed amendments.

The LEGISLATIVE CLERK. On page 27, line 23, after the abbreviation and numerals, to wit, "Sec. 17," insert "(a)"; also on page 28, after line 2, insert:

(b) None of the provisions of an act of the Congress of the United States entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, or any amendments thereto, shall hereafter be held or construed by any person or any official of any department of the Government of the United States or in any court to embrace, or to be in any way applicable to any fresh or natural fruit in the condition when severed from the tree, vine, or bush upon which it was grown.

Mr. WATERMAN. Mr. President, these amendments are, first, merely for the purpose of designating the first subdivision of a certain section, and, second, an addition of a provision which takes out from under the pure food act of 1906 fruit in its natural condition when removed from the tree or shrub upon which it was grown. It will be extremely beneficial to the fruit growers of the West and relieve them from a burden under which they have been suffering now for the last five or six years.

I understand that the Senator in charge of the pending bill does not object to the amendments.

Mr. McNARY. Mr. President, I do not want to be classified quite in that way. I do not think the amendments really can find their proper place in a bill of this kind. However, I am willing, so far as I can, to consider the matter in conference and will not oppose the amendments.

The PRESIDING OFFICER. The question is on agreeing to the amendments.

The amendments were agreed to.

Mr. McKELLAR. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The clerk will read the amendment.

The LEGISLATIVE CLERK. On page 5, strike out line 17 and down through the period in line 1 on page 6, and insert in lieu thereof:

SEC. 4. (a) Whenever the board determines that any agricultural commodity may thereafter require stabilization by the board through marketing agreements authorized by this act, or whenever the cooperative associations, or other organizations representative of the producers of the commodity, shall apply to the board for the creation and appointment of the advisory council for such commodity, then the board shall notify the President of such determination or application. The President shall thereupon create an advisory council for the commodity. The advisory council shall be composed of seven members to be appointed by the President by and with the advice and consent of the Senate. No individual shall be eligible for appointment to a commodity advisory council unless he resides in the region in which the commodity is principally grown, and is a producer of the commodity. Prior to the making of any appointment to a commodity advisory council, the board shall transmit to the President for his consideration lists of individuals qualified for appointment, to be submitted to the board by cooperative associations or other organizations representative of the producers of the commodity. The term of office of a member of any commodity advisory council shall be two years. In the event of a vacancy occurring, the President shall fill such vacancy in the same manner as the originally appointed member, and, should Congress not be in session, such appointee shall hold office until 20 days after the convening of the next session of Congress.

Mr. McKELLAR. Mr. President, in reference to this amendment, about which there was some discussion this morning, I desire to say that under the original bill this advisory council was to be appointed by the board. Under the theory of the bill it was to be purely an advisory council. It was to have no power. It was merely to advise the board.

Some of us thought that, inasmuch as the advisory council would represent the producers, it ought to have some real authority. For instance, take as an illustration, the case of cotton. Out of a board of 13 the cotton people could not reasonably hope to have more than 3 members of the board. So, if the bill had been allowed to remain just as it was, without amendment in this particular, this board of 13 would have had complete control of the cotton situation in the event of a marketing period, although there were but three people, or

perhaps but two people, on the board who were favorable to cotton.

The advisory council was to be just what the language indicated, and nothing more. It was to have no power to advise the board and compel the board to take its advice. The board would create it, and it is fair to believe that it would not take a position that was antagonistic to the board creating it.

Mr. EDGE. Mr. President, will the Senator yield for a question?

Mr. McKELLAR. I yield.

Mr. EDGE. I have read this amendment for the first time to-day, and have followed the explanation of the Senator. In effect, would it not really transfer all the real power from the board, as constituted under the original McNary-Haugen bill, to the separate advisory boards?

Mr. McKELLAR. Quite the contrary. It would not transfer any administrative power from the board to the commodity council. Every power of administration would still be in the hands of the board, but when it came to the particular commodity, before the board could act, it must have the approval of four out of the seven members of the advisory board, and virtually it would mean exactly this: We can not have a law enacted by the House of Representatives. It has to be approved also by the Senate. If it is a wise provision in our own Government to have two bodies approve an act, why would it not be a wise thing to have the board here in Washington receive the approval of those engaged in producing the particular agricultural commodity?

Mr. EDGE. I am not so sure that that would not be entirely justifiable, but am I to understand that when the advisory council, for instance, using cotton as an illustration, representing that commodity, decided by a majority vote that the equalization fee should be undertaken or instituted or the surplus purchased, their finding is mandatory on the board?

Mr. McKELLAR. It can be done in two ways. The board can institute the marketing period itself or the cooperative organizations can make application to have the advisory council appointed; and after it is appointed, of course, the marketing period can not be put into effect unless it receives the approval of the council.

Mr. EDGE. Yes; the Senator used the illustration, and I think it is a very good one, of the Congress, in that both Houses must, on their own account, entirely within their own judgment, act affirmatively before a bill can finally go to the President. What I am asking is whether the board has any jurisdiction to veto the advisory council if the advisory council for wheat should say "We want the terms of this bill now put into effect and administered"?

Mr. McKELLAR. Of course, it can not be put into effect without a majority vote of the board.

Mr. EDGE. As well as a majority vote of the council?

Mr. McKELLAR. Yes; that is true.

Mr. EDGE. I am very glad to get that information because, comparing the amendment with the original bill, it occurred to me that the amendment removes that authority from the board.

Mr. McKELLAR. Oh, no; it does not do it at all.

Mr. EDGE. As a matter of fact, what is the object of the advisory council if, after they had decided affirmatively to administer the act with respect to the equalization fee, the general board of 13 could veto or vote "nay"? Then the advisory council would mean practically nothing.

Mr. McKELLAR. Here is what it means: Suppose the board of 13, here in Washington, determines to put into operation a marketing period for cotton. Suppose those interested in the production of cotton did not want it to go into effect. They would have their council here, and before the board can put the marketing period into operation the board must have the approval of four out of the seven members of the commodity council or advisory council.

Mr. EDGE. The Senator is entirely sure he is correct?

Mr. McKELLAR. Absolutely.

Mr. EDGE. I know the Senator is correct in what he just stated, but would the same condition reversed apply? If the advisory council decided that the equalization of cotton should be undertaken through the purchase of cotton, or whatever form it might require, and the general board of 13 in their judgment felt that it was not wise or justifiable to do it, could the board take that position?

Mr. McKELLAR. Yes; it could not go into effect then at all.

Mr. SMITH. There is no power given the advisory council to initiate any marketing period. That is wholly with the board. The board can initiate a marketing period, but the advisory council can not. Under the terms of the amendment offered the advisory council, when the board thinks there is a

marketing period advisable, can veto it as to that particular commodity.

Mr. EDGE. And the board could veto their initiation?

Mr. McKELLAR. The council can not initiate at all.

Mr. SMITH. No; the advisory council can not initiate at all.

Mr. EDGE. Under the amendment they can not?

Mr. McKELLAR. No; they can not. They have no power of initiation at all. Let me say to the Senator from New Jersey that the advisory council has no power at all except the power to veto when a marketing period is about to go into effect or when an attempt is made to take a commodity out from a marketing period. Suppose the board wanted to take it out of the marketing period for another year, the council would have the right to prevent that, and that is all it would have in this particular aspect of the matter.

Mr. HARRIS. Mr. President, I would like to know how long the advisory board could keep this up? Could it be done for several years?

Mr. McKELLAR. How does the Senator mean?

Mr. HARRIS. If the advisory board decided not to have an equalization fee plan put into effect for five years, could that be done?

Mr. McKELLAR. The advisory board is selected or appointed for only two years.

Mr. HARRIS. Yes; I understand; but could it keep up its refusal or its agreement with reference to the marketing period for an indefinite time?

Mr. McKELLAR. The advisory council would have the right of veto, representing the producer. They must be appointed from among the producers. They must be appointed from the territory where the product is principally raised, and during that time they would, of course, have the right of veto on putting the market period into effect.

Mr. HARRIS. But it is indefinite as to the length of time it might be kept up by the board?

Mr. McKELLAR. Of course, if we can not trust the farmers themselves, who are not only the producers themselves but the representatives of the producers, I can not imagine whom we could trust.

Mr. HARRIS. Then it could go on indefinitely?

Mr. McKELLAR. Yes. So far as the amendment is concerned that is about all there is to it. It seems to me it strengthens the bill and adds to it very greatly. It certainly protects the producers of the country.

Mr. SMITH. Mr. President, may I suggest to the Senator that one thing that makes the amendment necessary in the form in which it is presented is the modification of subsequent amendments which give to the advisory council an absolute, positive power which it did not have under the original form of the bill, and widens its scope in that it can be selected not only from the cooperative organizations or an organization of farmers but from any group of individuals who are engaged in the production of the article that is to be affected by the action of the marketing period. As these radical changes were made in subsequent amendments, it was necessary to clothe them with the power of real appointees, by and with the consent of the Senate, as indicated in the amendment.

Mr. McKELLAR. I think the Senator is entirely right about it. As I said, I think the amendment not only protects the farmer but strengthens the bill. It is in entire accord with our institutions. It is patterned somewhat after the formation of Congress itself, there being two boards, and two are better than one under the circumstances. I hope the amendment will be adopted.

Mr. McNARY. Mr. President, I do not rise to discuss the amendment, but I would not want to have a vote taken in the absence of the Senator from Arkansas [Mr. CARAWAY].

Mr. McKELLAR. I would not either, and I have sent for him.

Mr. McNARY and Mr. EDGE suggested the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Copeland	Harris	Neely
Barkley	Couzens	Hawes	Norbeck
Bayard	Curtis	Hayden	Oddie
Bingham	Cutting	Heflin	Overman
Black	Dale	Jones	Phipps
Blaine	Edge	Kendrick	Pittman
Blease	Fess	Keyes	Ransdell
Borah	Fletcher	King	Reed, Pa.
Bratton	Frazier	McKellar	Robinson, Ind.
Brookhart	Gerry	McLean	Sackett
Broussard	Glass	McNary	Schall
Bruce	Goff	Mayfield	Sheppard
Capper	Gooding	Metcalf	Shiptoad
Caraway	Hale	Moses	Shortridge

Simmons
Smith
Smoot
Steck

Stelwer
Stephens
Swanson
Tydings

Tyson
Vandenberg
Walsh, Mass.
Walsh, Mont.

Warren
Waterman
Watson
Wheeler

The VICE PRESIDENT. Seventy-two Senators having answered to their names, a quorum is present.

Mr. McKELLAR. Mr. President, at the request of the Senator from Arkansas [Mr. CARAWAY], I desire to ask unanimous consent that this amendment may be passed over until tomorrow morning. I hope that request will meet with the approval of the chairman of the committee.

Mr. McNARY. I am quite well satisfied to let that course be pursued.

The VICE PRESIDENT. Is there objection to the request of the Senator from Tennessee? The Chair hears none, and it is so ordered.

Mr. NEELY. Mr. President, I move to reconsider the vote cast earlier in the day by which the amendment proposed by the Senator from New York [Mr. COPELAND] was adopted. The language of the amendment is as follows:

The words "agricultural commodity" mean an agricultural commodity which is not a fruit or a vegetable.

The adoption of this amendment excludes every fruit grower and every vegetable raiser in the United States from participating in the benefits of the pending bill. The fruit growers of West Virginia, for example, do not want to be subject to the bill's provisions relative to equalization fees and marketing agreements for the very sufficient reason that fruit is perishable, and accordingly not susceptible of being indefinitely stored like wheat or corn or cotton. But the fruit growers and vegetable raisers do want the benefits of the other provisions of the bill.

In my opinion, the Senate adopted the Copeland amendment without fully appreciating its prejudicial effects upon a very large and deserving class of farmers. Therefore I move that the vote by which the amendment was agreed to be reconsidered.

The VICE PRESIDENT. The question is on the motion of the Senator from West Virginia.

The motion was agreed to.

Mr. NEELY. Mr. President, in lieu of the Copeland amendment, on page 18, after line 25, I propose that the following new paragraph be inserted:

8. The provisions of this bill relative to marketing agreements and equalization fees shall not be construed to apply to fresh fruits or vegetables.

Mr. President, the adoption of this amendment will at once give the vegetable growers and the fruit raisers all of the benefits of the bill and protect them against the exactions of the equalization fee and marketing agreement provisions of the measure. I request a vote on my amendment.

The VICE PRESIDENT. The question is on agreeing to the substitute amendment proposed by the Senator from West Virginia in lieu of the amendment of the Senator from New York.

The amendment in the nature of a substitute was agreed to.

The amendment as amended was agreed to.

Mr. CARAWAY. Mr. President, I arose a few moments ago to discuss one provision of the pending bill and to attempt to reply to a suggestion made by the Senator from Idaho [Mr. BORAH], who is not now on the floor. I wished to urge why, to the friends of the measure, an equalization fee instead of an appropriation to absorb losses would seem to be economically wise. If we should pass a bill carrying a large appropriation from the Public Treasury for the purpose of absorbing losses, it, of course, would invite overproduction; when the appropriation should be exhausted there would be no way to replenish it except to go back to the source, which is the Treasury.

The equalization fee, Mr. President, as I have understood it, is for this purpose: We are seeking to find some means by which farmers may cooperate. Voluntary cooperative associations have found themselves confronted with a situation where 8 or 10 per cent of the producers of a commodity will form themselves into an association and withhold their products from the market, that when a temporary rise in the price of the product the other producers, who are not members of the association, will avail themselves of the temporary rise, obtain all the advantages, and in the last analysis leave the surplus of the product in the hands of the cooperatives. Inevitably such cooperative associations fail, because 8 or 10 per cent of an industry can not support the 90 per cent who refuse to cooperate. The equalization fee is intended to induce every man to cooperate, because the 90 per cent who refused to cooperate in the past did so because they wanted to bear none of the burdens of cooperation. If, however, the hand of the law lays itself upon the product and says, "Whether you cooperate or do not co-

operate, the cost of maintaining a market will fall equally upon you as upon those who are in the association," necessarily 100 per cent cooperation will follow. That is the dream of those who sponsor this proposed legislation. If it shall fail, the system will fail.

If cooperation be the solution of the farmer's problem—and we have been told by the enemies of the farmer and the friends of the farmer that cooperation means his success—the equalization fee is the instrumentality that will bring about that result. It will enable the industry to be levied upon as a whole to take care of the surplus; it will make the unwilling, the selfish who want to stand on the outside and take advantage of the sacrifices of those others who are engaged in the same industry contribute their proportionate part of the cost, and, therefore, they too will cooperate. If it does not do that, the scheme of this legislation fails; and if we shall strike out the equalization fee then there would be no power to compel anybody to cooperate. The bill would then simply set up another instrumentality by means of which the farmers may find themselves deeper and deeper in debt every year, and if we should permit them to take their losses from the Treasury it would be in fact allowing them to go into bankruptcy and to liquidate in that way every year. No farmer wants to do that. There may be industries that are willing that the American public shall finance their losses; there are people who are willing that the Treasury of the country shall be called upon to reimburse them for their mistakes. Agriculture is not of that class.

For the first time we find a group of men in the Senate and in the House of Representatives who are determined to deny to an industry the right to organize for its protection. That is all the farmer seeks. He asks the Congress to give him an instrumentality by means of which 100 per cent of cooperation among the producers in that industry may be brought about. Some Members of the Congress would deny that to him, although he does not ask to be given one dollar to finance this undertaking, but asks only to have given to him the legal machinery by means of which the farmers may bring about this result.

Mr. BLAINE. Mr. President, will the Senator yield for a question?

Mr. CARAWAY. Yes, sir.

Mr. BLAINE. Is the purport of the Senator's argument to the effect that this measure is to bring about compulsory cooperation?

Mr. CARAWAY. If the Senator is fond of the word "compulsory," it is to bring about cooperation, because it is designed to set up a machine that will make cooperation possible. If that is "compulsion," has the Senator any objection to it?

Mr. BLAINE. I might ask this question—

Mr. CARAWAY. Very well.

Mr. BLAINE. Who is to be the judge of whether it is going to be profitable or not—the Congress or the farmers after they have been forced into this cooperation?

Mr. CARAWAY. That goes back to the question of whether one is in favor of any law. We have not a perfect democracy; the people do not meet together and enact their laws; they have representatives who have to say what, in their judgment, is a wise course. I know and the Senator knows that we never can get 100 per cent of cooperation among farmers so long as some of those engaged in an industry may stay out and wait until others shall make a market, and then scalp it, leaving this to be borne by those in whose hands the surplus will be left. That is the only question involved, namely, whether we shall so legislate that all may be compelled to bear equally the losses and share equally in the profits of an industry; in other words, whether we want to make it impossible for cooperation to be brought about in this country among those engaged in producing agricultural commodities.

Mr. BLAINE. If I understand the Senator's argument, his proposition is to impose upon the farmer an equalization fee to force him into cooperation.

Mr. CARAWAY. The Senator could not have misunderstood me. I said that the design of this proposed law was to make the man who did not want to cooperate bear his part of the cost of cooperation. That is the purpose of the bill. If there are Senators who think farmers ought not to be given that right, let them vote against it. That, however, is what the farmers are asking for. There are Senators who think they know better than does the farmer what the farmer wants. If there is no agricultural problem in this country and if the farmers have no need for legislation, if farmers do not want any legislation, let the Senators who entertain that view vote against this measure. Let them back their judgment against the judgment of 30,000,000 American farmers and say to them, "You are a lot of idiots; you do not know what you want; I am your overlord and to your request I say 'no.'" That is the

question that is before the Senate. If Senators are willing to say that the American farmers can not be trusted; that they have not sense enough to know what they want; that they have not character enough to be intrusted with the management of their own business, let them say so by voting against this measure. They must admit the farmers have sense enough to know what they want; they have character enough to be trusted with the conduct of their own business, and, therefore, as they are asking for this legislation it will be granted to them, or they must say that the farmer does not know what is the matter with him; he does not need what he seeks. The responsibility, I say, is up to the Senate. The curious thing about it, however, Mr. President, is that the opposition to this proposed legislation comes almost entirely from a group of Senators who have been the most persistent knockers at the doors of Congress for favors for industries that they represent, and so continuously clamored for them that in most cases they have received them; but the minute there is legislation proposed for the farmer they find either that the Constitution or their implacable opposition of governmental aid keeps them from supporting the measure the farmer wants.

The equalization fee is the heart of this legislation, and there is not a Senator on this floor who wants the farmer to succeed who is against the equalization fee. There is not an enemy of this bill on the floor who is not against the equalization fee. Every farmer in America knows that you are hanging your fight on the equalization fee with the hope that you can destroy the legislation.

I always have great respect for a man who has the courage to look the world in the face and say, "I am against you." I have not any great amount of respect for the man who desires to strike out but wants to veil his hand when he wields the dagger.

You are either for the legislation or you are against it; and the Constitution does not stand between a Senator on this floor and the support of this legislation. There are constitutional lawyers in the Senate, and it is interesting to read their predictions in the light of what the Supreme Court has afterwards said about the legislation. If there is anything that you can stake your life on, it is that these professional constitutional lawyers are wrong. They are the only ones that are 100 per cent wrong on every proposition.

As I said a minute ago, what is the use of dodging the issue? You are not fooling any farmer. You are not fooling anybody else. Why do you not say you are for the legislation or that you are against it? If you are against it because you think the farmers have not sense enough to know what they want and have not character enough to be intrusted with the management of their own business, say it. There is not any use to camouflage.

You know it is rather enlightening to examine what we call composite public opinion. There were a group of farmers who met at Ocala, Fla., and put out a platform. The time was if you wanted to convict one of being an idiot or crazy you had but to say he was for the Ocala platform. No court required other proof. It entered the record then that that man was either a fool or crazy. Yet everything they stood for in that platform has been enacted into law and now is looked upon as conservative!

There is a composite opinion among the farmers of America. They may individually be unable to give you an entirely satisfactory reason for some provisions of this legislation, but when you take the legislation they ask for in its entirety you will find that there is much of wisdom in their demands. Why, every one of you who has practiced law—not these constitutional lawyers, but every one of you who has had business in the courts—has been astonished at the wisdom of a jury, the individual members of which you thought would have been incapable of understanding all the intricacies of your case; and yet the composite opinion of that jury was all that the most learned judge could ask. There is a kind of a balance wheel in having a lot of people viewing a question from many different angles, and reaching a conclusion that represents a part of the belief of all of them, and possibly excludes some of the ideas of every one of them.

This legislation is the composite opinion of the American farmer. Of course, that does not include the "farmers" here on the floor of the Senate.

Mr. BROOKHART. Mr. President, will the Senator yield?

Mr. CARAWAY. Yes.

Mr. BROOKHART. The composite opinion of the farmers on the price they should have under this bill, as expressed in the conference of the Corn Belt committee, was by unanimous vote that they should have cost of production plus a 5 per cent return on the capital invested.

Mr. CARAWAY. Yes.

Mr. BROOKHART. And that provision is not in this bill.

Mr. CARAWAY. That is the conclusion of the Senator.

Mr. BROOKHART. I was present when it was done.

Mr. CARAWAY. But, I say, the statement that that provision is not in the bill is the conclusion of the Senator. You do not have to write in the bill that you are to guarantee them a certain price for their products; but we are setting up here the machinery which, if it works, will give them that, and give it to them legally, and allow them to keep their self-respect.

Mr. BROOKHART. Instead of the thing the farmers asked, and were united and unanimous on it, we have this in the bill:

The price at which a surplus or any part thereof is to be purchased or disposed of under any marketing agreement shall not be fixed in such agreement, but all such purchases and disposals shall be made subject to the prevailing competitive conditions of the markets in which they occur.

This is exactly what we have now.

Mr. CARAWAY. And what were you dealing with? Surpluses. We are trying to keep the surplus from destroying the whole product. There is not anybody that can write into any legislation that the surplus shall bring a fixed price unless you resort to the Public Treasury and subsidize that business.

Mr. BROOKHART. That rule could be put in just as well under the equalization fee as under the Public Treasury appropriation. It is immaterial which way the loss would be paid.

Mr. CARAWAY. The Senator means you could make the equalization fee large enough to cover that?

Mr. BROOKHART. In case you had a loss on disposing of the surplus bought at that price.

Mr. CARAWAY. Yes; you could take your money out of one pocket and pay yourself in the other pocket with it.

Mr. BROOKHART. Is not that exactly what the equalization fee does?

Mr. CARAWAY. Oh, no; that is not what the equalization fee does.

Mr. BROOKHART. The appropriation does not do that. The appropriation takes it out of the pockets of those that have robbed the farmers all these years, and that the Senator admits have robbed the farmers, and gives it back to the farmers; but the Senator's proposition just takes it out of one pocket and puts it into the other.

Mr. CARAWAY. Oh, well; what is curious about it is that there is not a line even in the Senator's bill which says that this tax shall be put upon certain people. He wants to take his money out of the Treasury; and that money came out of the pockets of the honest and the dishonest alike. If the Senator wants to write a bill to get the money to pay the farmers out of what he calls the people who robbed the Government, why does he not write a bill saying that we shall tax the railroads so much, and the New England tariff-protected industries so much, and out of these industries we will raise a fund to subsidize the farmer? Let us be consistent.

Mr. BROOKHART. We are quite satisfied that the system of taxation, if we do not have the estate tax repealed, does that quite substantially already.

Mr. CARAWAY. If the Senator is satisfied with the present taxation system, then he has misled me.

Mr. BROOKHART. I am very well satisfied with the taxation system the way Congress passed it in 1924, supported by the Senator and supported by the rest of the Democratic side; but when they turned around and emasculated that bill and destroyed its principles, and that fight was led by Senators on the other side, I am not satisfied with that.

Mr. CARAWAY. The Senator was not here then, and wisdom was absent from the Senate temporarily. The Senator in one breath says he is satisfied with the taxing system as it is, and in the next says the Democrats ruined it, emasculated it; I do not know now just how it is—whether it is an emasculated law or whether it is an entirely satisfactory law.

Mr. BROOKHART. I do not want to charge that altogether to the Democrats, because standpatters on either side of the Chamber look just alike to me.

Mr. CARAWAY. I know; everybody was wrong but the Senator, and he was temporarily absent, and therefore wrong prevailed. That is to be regretted.

None of those questions, Mr. President, are involved in this legislation. There is no use for us to fool ourselves, because we can not fool anybody else, you know; but when passing upon that the funniest thing is that no man makes an argument to you unless he himself would be swayed by that sort of argument, and, therefore, when somebody presents an argument to us that fails to reach us we realize that we are not on the intellectual plane of that person. He is either above us or below us—usually above us, of course. But the question that we are trying to discuss now—I am not trying to discuss all the provisions of

the bill, its machinery, which is purely the mechanics of the bill and is not vital—merely represents a compromise with the administration, who for 11 months yet can write his name at the bottom of another composite veto and defeat the will of the people; that is, unless the Senator from Ohio [Mr. Fess] should finally draft him and have him reelected.

I wanted to discuss this one issue, and then I think I shall have said all that I want to say about the matter, Mr. President.

The equalization fee is the means of saying that everybody who is engaged in an industry shall bear his proper proportion of the cost of making that industry successful. It goes just a little beyond that, Mr. President. It so frequently happens, at least in the marketing of cotton—and with that I am more familiar than I am with corn—it so frequently happens that the farmer sells his cotton; and when it is all out of his hands, or the very large proportion of it is out of his hands, the price goes up. Under the provisions of this bill, if the surplus is weighing down the remainder of that product in the hands of the farmer, the speculator, or the spinner who has bought before the decline or bought before the rise, whichever way the situation may be, can not escape contributing to the eventual marketing of the surplus, because if he bought his cotton and has it stored away in his warehouse and it becomes necessary to levy an equalization fee on the product to take care of the surplus, the minute he rolls his bale of cotton out of the warehouse and puts it in interstate or foreign commerce we say to him, "You have to come along here now and pay your part to help support the weight of the surplus of this product. You did not produce it, but you now have it; and we are going to require you to stand shoulder to shoulder with the farmer and help carry the burden of marketing the surplus."

It has another beautiful side to it, Mr. President. There will not be so much incentive to break the price of cotton by people who have cotton or who have future contracts for cotton if you can reach them thus along with the farmer. It is a hundred per cent cooperation in that product. It makes no difference whether it is in the hands of a millman, a speculator, or a producer, everyone is reached who has that product whenever it is necessary to set up the machinery to take care of the surplus.

I suspect that is where some of these shade-tree farmers find their real objection to it.

Mr. BROOKHART. Mr. President, I want to reply briefly to some of the suggestions of the Senator from Arkansas. I do not think the representatives of the farmers are doing their duty to the farmers when they say that "We have by law taken your money and turned it over to the railroads. We have by law taken your earnings and turned them over to the protective industries."

I am sorry the Vice President is leaving the chair. I want to have something to say about presidential candidates in a minute.

I do not think it is defending the farmer's rights when by law we take the earnings of the farmers and turn them over to the public utilities, when by law we take the earnings of the farmers and turn them over to the patent-protected industries; then, as a result of all these operations of the law, you have injured the farmer and driven him universally to the verge of bankruptcy, then turn around and say it would be charity to do for him by law what you have done for all the other interests.

I think that is a betrayal of the farmers' interests. I do not think it is a fair fight for the farmer. I have made my fight in all my campaigns on the pledge and promise that I would stand for those things. The Republican platform pledges equality to agriculture compared with the other industries of the country. Now, we turn around and seek to carry out that pledge by putting an equalization fee upon the farmer himself. It is not fair, it is not carrying out our pledge, and something is going to happen in connection with the votes of these farmers.

Mr. President, I want now to turn to the subject which I just now suggested. The presidential situation has come into this matter in a remarkable degree and in a very remarkable way.

Mr. BLAINE. Mr. President—

The PRESIDING OFFICER (Mr. Edge in the chair). Does the Senator from Iowa yield to the Senator from Wisconsin?

Mr. BROOKHART. I yield.

Mr. BLAINE. I call the Senator's attention to my remarks of last week, in which I reviewed the remarks of one of the candidates for President, remarks in which he said that this equalization fee was analogous to the Esch-Cummins law, analogous to the Federal reserve act, and analogous to several other legislative acts which gave gratuities to certain interests. I wish the Senator would discuss that.

Mr. BROOKHART. I remember that cost-plus business in the transportation act; but I am not going to disturb that candidate for the Presidency to-day. It is brought up in my mind in another way.

Mr. WATSON (in his seat). I thank the Senator.

Mr. BROOKHART. He thanks me for that. Maybe I will take it up later, but not to-day.

On April 5, the presidential situation was injected into this farm problem in an article printed in the RECORD from Mr. George N. Peek. Mr. George N. Peek claims to be the leader of the farm movement in the United States at this time; he assumes to be. He is not a farmer, of course. He is a banker, appointed by the bankers and interests of that kind. Mr. Peek singles out one presidential candidate, Mr. Hoover.

I am not a supporter of Mr. Hoover; neither am I a supporter of Mr. Peek's candidate; and it is those two candidates whom I want to discuss at this time, and I think I am fairly in position to be an impartial judge, since I support neither of them.

In this statement, after reviewing Mr. Hoover's action in reference to the Wheat Corporation during the war and the control of farm prices, Mr. Peek brings out this conclusion:

I challenged then, and I challenge now, the economic soundness and the wisdom of the conference recommendations which were Hoover policies. The effect upon American agriculture and business in agricultural districts may be epitomized as follows:

Decrease in farm property values between 1920 and 1925, \$20,000,000,000.

The fact that farm property decreased \$20,000,000,000 I do not dispute. It was charged up here, however, to Mr. Hoover's control of the war prices, whereby they were held down below the prices of other products.

The second item is:

Increase in farm debt between 1910 and 1925 \$12,000,000,000 and further increase between 1920 and 1925, \$2,000,000,000.

I am not quite sure about the accuracy of those figures, but I will affirm the fact that there was an immense increase in the farm debt, in spite of the fact that a large part of it was foreclosed.

Increase in farm bankruptcies, over 1,000 per cent.

I know that was true, while other bankruptcies remained the same.

Migration from the farm since 1920, 2,000,000 a year.

That is not far from the fact.

Bank failures.

I will not take up the banks, since that is rather immaterial.

Mr. President, who is this man speaking who is charging up to Mr. Hoover all of this calamity to the farmers of the United States? He is the campaign manager for our distinguished Vice President, Mr. CHARLES G. DAWES, and when we have that fact in view it is of some importance. That is why I hoped the Vice President would remain during this discussion.

How do I happen to know about this campaign-manager business? I will tell you. Mr. Peek interviewed me, and sounded me out on the Vice President as a presidential candidate. I told him he would not do, so far as I was concerned. I said that he was tied into the big banking and oil interests, and things of that kind, in this country; that he was connected directly and by approval with the Federal reserve deflation of the farmers of this country; that when the Federal reserve inflated in 1924, as they generally do just before election, his own brother was the Comptroller of the Currency, and on the board that helped to do it. The Democrats will remember how they ran the prices up just before the election.

I said that as Vice President, when the farm bill was under consideration at the last session, he made an arrangement with the Federal reserve banking crowd, and with the farmers, that he would get a vote on the farm bill, and he put through the McFadden bill, which made permanent the iniquities of this Federal reserve deflation. Then, when this present farm bill itself came up before the Senate, we find a provision in it protecting the packers and the millers of this country. Let us read that provision:

(f) During a marketing period fixed by the board for any commodity, the board may enter into marketing agreements for the purchase, withholding, and disposal of the food products of such commodity, and all provisions of this section applicable to marketing agreements for the purchase, withholding, and disposal of a surplus of the commodity, shall apply to the agreements in respect of its food products.

It is plain that that provision was to take care of the packers and the millers, and not of the farmers, and all at the expense of the farmers through the equalization fee.

Since I told Mr. Peek that the Vice President was not satisfactory to me as a presidential candidate because of his connection with this Federal reserve banking crowd, and also because of the system of gag rules that he wanted to put on the Senate, and stifle even the voice of the farmer, because of those things, Mr. Peek has been exceedingly cool to me since that interview. Before that he consulted me a great many times upon these farm problems, but since then he has bombarded me with telegrams, he has had the members of the farmers' committee wire me and threaten me with political punishment and everything else unless I got in line for the Dawes bill. This is not the McNary-Haugen bill, this is the Dawes bill. I am not quite in line yet, you see.

Now, I want to go back. The Dawes plan of managing the finances of this country by the deflation of the country began on the 18th of May, 1920, officially. That was when the Federal Reserve Board met to consider the question of deflation in this country. I maintain that it is an economic crime for a reserve board ever to consider a deflation policy. Loans are made by the board and approved by it, and it is not right that the industries established because of that approval should be torn down by having their loans called. Yet this board met on May 18, 1920, for that purpose. Of course, all the members of the board who were in that meeting were Democrats. Remember that on the other side of the Chamber. Every one of them was a Democrat.

Mr. HEFLIN rose.

Mr. BROOKHART. But the class A directors and the advisory council were there, too, and, of course, I will admit to the Senator that a majority of those were Republicans. I yield to the Senator.

Mr. HEFLIN. Who were the Democrats the Senator speaks of?

Mr. BROOKHART. I remember one, W. P. G. Harding.

Mr. HEFLIN. He was not a Democrat. He quit the Democratic Party and supported Harding in that campaign.

Mr. BROOKHART. These high-class Democrats very frequently get over into the Republican Party.

Mr. HEFLIN. Whenever they reach the point where they can not carry on in the Democratic Party as they want to, they go into the Republican Party.

Mr. BROOKHART. Yes; that is very true; I will not dispute that with the Senator. We will see what happened as a result of that meeting. The meeting was held at about the same time that Mr. Hoover quit oppressing the farmers of the United States.

As I said, I am not for Hoover and I am not for DAWES, and I do not know that I shall support either one of them in the election if he is nominated. They have to offer me something better than the McNary-Haugen bill or I will not do so. I am going to see that the platform of the Republican Party is carried out. I am going to stand on that platform in the next election, so far as I am concerned, that one which said that we would give equality to agriculture compared with the other industries of the country.

Now we come to the point. I have here the account of Mr. Hoover's winding up his war activities and ending the wheat corporation. That occurred the latter part of May, 1920.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BROOKHART. I yield.

Mr. BARKLEY. Was that before or after Mr. Hoover decided whether he was a Democrat or a Republican?

Mr. BROOKHART. He was still acting as a Democrat. I will have to give the Democrats credit for this part of his activities.

Mr. BARKLEY. It was soon after that, however, that he decided to be a Republican?

Mr. BROOKHART. Yes; I guess so.

I have the quotations of farm prices as Mr. Hoover turned them over to the country. I got them out of the Chicago Tribune, which is mighty good authority. I sent over to the legislative reference bureau and they figured it out for me.

On May 29, 1920, I find that hogs, heavy butchers, were worth \$14.35 to \$14.70. That is the price Mr. Hoover turned over to us when he quit managing prices in the United States. I am willing to concede that was too low compared to other prices. I know that Mr. Hoover did depress farm prices below the level of other prices to some extent. But after the Vice President's crowd, the bankers' crowd, got control of the thing and put on the deflation, here is what happened: In January, 1921, the same hogs had fallen from \$14.35 to \$9.40.

Then I find in reference to cattle, good to choice steers, that they were worth \$12 to \$13.75 when Mr. Hoover turned them over, and after the Vice President and his crowd had operated on them for about a year they were \$7.25 to \$9.25 per hundred for the same grades.

I find with reference to corn that when Mr. Hoover turned the prices over to the country and quit deflating them, in May, 1920, No. 2 mixed was \$1.89 to \$1.90, but in January, 1921, the same corn was down to 62.5 to 63 cents after the Federal reserve system and the crowd represented by the Vice President had operated those things for about a year.

I find that No. 2 hard wheat, when Mr. Hoover turned it over, was worth \$2.85 to \$2.87, but in January, 1921, the same wheat, after our Federal reserve system, in which the Vice President is so greatly interested, had done its work, had been reduced to \$1.70½. Cotton, when Mr. Hoover turned it over while he was still a Democrat, was worth 40 cents a pound. In February, 1921, that same cotton was down to 11.8 cents per pound.

Mr. HEFLIN. Mr. President, I take it from that that when Mr. Hoover ceased to be a Democrat and went over into the Republican Party he nearly ruined that party.

Mr. BROOKHART. It looks awfully bad for the Republicans, does it not? The trouble with the Senator's argument is that it is good if it is a Democrat, but it is bad if it is a Republican. I do not make my argument on that basis. I think the Senator will have to admit that I hit the Republicans just the same as the Democrats when they are just as guilty as the Democrats which, of course, is not very often. [Laughter.]

Mr. HEFLIN. In this instance, more so.

Mr. BROOKHART. Mr. President, why was all of this injected into the Record at this time? Why was presidential politics mixed up with the solution of the farm problem? It is because nothing is wanted to be done at this session of the Congress. The main sponsor of the farm bill, Mr. George N. Peek himself, does not want a bill passed that will be signed by the President of the United States. He wants a bill that will be vetoed so he can keep the issue alive. Then he will point to his candidate and say that he stood for the relief of the farmer. Of course, that bill not being in operation, nobody can prove its inefficiency except by argument.

The whole situation has been worked in that way. I called on the chairman of the committee, the senior Senator from Oregon [Mr. McNARY], before this session of Congress began, to get ready for the consideration of the farm relief bill. I found the Senator from Oregon eager and ready to proceed, and to enact the bill into law. Why was it not enacted in December, even before the holidays? When it was finally reported it was reported without a word of amendment. The only reason why the bill was not reported was because Mr. Peek and his crowd, pretending to represent the farmers, were not here. They were waiting. What were they waiting for? For political purposes they wanted nothing done until toward the end of the session. Nothing was done at that time.

Finally, when the hearings came on, I was the only man that appeared before the committee in any way. The Senator from Oregon gave every consideration to the evidence I presented. I brought the best witness in the United States, the one who had prepared the cost-of-production theory for the farmers, and which had been approved by the farmers by unanimous vote, as I have already said, in that Corn Belt conference.

I fear that one trouble with our Democratic friends is that they are a little like Mr. Peek in that they want some political capital out of the situation. In the first discussion with the Senator from Mississippi [Mr. HARRISON] upon the proposition I called upon the other side of the Chamber to come forward with a program and said I would support it. But it is not here. Here is the farmer, entitled to relief by law, entitled to this consideration, but he is getting nothing. He is the football of the situation. The bill will be vetoed, of course, and there are not enough votes to pass it over the veto. It will be used by one set of candidates, trying to get into office, and the other, trying to stay in office, and neither of them really intending to do anything for the farmers.

Mr. KING. Mr. President, will the Senator yield?

Mr. BROOKHART. I yield.

Mr. KING. I thank the Senator. I ask for information because I have not been able to be in the Chamber, owing to committee work, to listen to the discussion. May I ask the Senator what percentage of the farm organizations, if he knows, favor the so-called McNary-Haugen bill and what proportion of the membership of other agricultural organizations favor the measure which the Senator from Iowa advocates or some other measure which deals with the agricultural situation?

Mr. BROOKHART. I can give the Senator some information from personal knowledge. I have talked to twice as many farmers in the State of Iowa as all the farm leaders. I have given eight years of my life to a study of this question. I have presented the proposition in every speech I have made to the farmers of my State exactly as I have presented it in this bill, except as to some minor details. I was elected by the farmers, as I have already said, in spite of the opposition of the newspapers. I was elected by the farmers without respect to party. Democratic farmers voted for me everywhere. In spite of the opposition of the newspapers, in spite of the opposition of the chambers of commerce, in spite of the bankers' association, and in spite of what I call the whole Dawes crowd out in the State of Iowa I was elected, and I know they stand for a bill substantially as I have presented it here. Some of those newspapers are firing at me now and some leaders are sending telegrams to me that they mean to hold me responsible for this situation. I am responsible for what I have said and for what I have done, and I do not care what the situation may be or who these parties nominate, I am going to continue this fight for agriculture upon its merits.

Mr. KING. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER (Mr. STEWART in the chair). Does the Senator from Iowa yield to the Senator from Utah?

Mr. BROOKHART. I yield.

Mr. KING. I would like to ask the Senator whether, before the committee which considered the bill known as the McNary-Haugen bill and reported it to the Senate, there were any persons appeared other than the Senator from Iowa? Did Mr. Peek and his organization appear?

Mr. BROOKHART. No; Mr. Peek and his organization prepared this bill and sent it over. There was no hearing. No one appeared except myself. Am I not correct, may I ask the Senator from Oregon?

Mr. McNARY. No. I do not want anyone to conclude—

Mr. BROOKHART. I am not blaming the Senator from Oregon. He was willing all the time to do everything that could be done in the matter. I have no blame to put on him. He has been fair all the way through. I yield now to the Senator from Oregon.

Mr. McNARY. I only want to say in connection with the hearings that the Senator from Iowa came before the committee and gave a very full and able description of his bill and its main purposes. The committee considered the whole proposition and decided it did not want to have any further hearings. No one else was called before the committee. The Senator's bill was considered; indeed, all the bills were considered and they were seven in number. This bill, to which I devoted a great deal of work and much of the preparation of which was done by the drafting bureau, was voted to be reported out favorably by the committee.

I do not want any one to be charged with any delay in the consideration of the bill by the committee or its report to the Senate. I assume all responsibility. There was no time before the holidays to consider the bill. There were very few committees in session. After the holidays I was interested in the Boulder Dam project, the Columbia Basin project, and the Des Chutes project; all for the Northwest and one of which was in my own State. I took the privilege of being present before the Committee on Reclamation, which was considering those bills, because I had a perfect familiarity with them, having been a former chairman of that committee.

Following the hearings on the three measures which I have just mentioned, the matter of flood control came up and I am ranking member of the Senate Committee on Commerce having that bill in charge. I was deeply interested in flood-control legislation. I took the position from the start that the Government should assume the whole liability for the trespass of that river upon private property.

I neglected hearings on the agricultural bill until I had finished that other work. I assume all responsibility and I say here in the presence of the Members of the Senate that there was not any letter and not an individual asking me to delay its consideration one minute. If any one was to blame in that regard I accept the blame.

Mr. BROOKHART. The Senator is very generous, but I will not put the blame on him in spite of his assertions. I know who is to blame.

Mr. GOODING. Mr. President, will the Senator yield?

Mr. BROOKHART. I yield.

Mr. GOODING. I am sure the Senator will agree with me, however, that so far as Mr. Peek and his friends were concerned, being here representing the Committee of Twenty-two, that they urged early consideration of the bill, even before the

holidays, and as soon as they came on the ground. There is no doubt about that. I met them a great many times myself and I urged consideration of the bill as early as possible. The Senator was doing all that was humanly possible for any man to do, but was not able to report the bill sooner than it was finally reported. There has been no intentional delay on the part of the friends of the measure at all. In that respect the Senator from Iowa is entirely mistaken.

Mr. BROOKHART. I have not any doubt that Mr. Peek talked that way to the Senator, but I have not any doubt either that he is managing the bill as a campaign platform for his candidate for the Presidency, the present Vice President of the United States.

Mr. KING. Mr. President, will the Senator submit to another interruption?

Mr. BROOKHART. Yes.

Mr. KING. I recall a year ago that the Grange, which is an old organization and, so far as I have been able to discover, a very intelligent and conservative organization, exhibited opposition to the former McNary-Haugen bill, which, so far as I can see, is very much like the present bill.

Mr. McNARY. That is quite an inaccurate statement. The Grange has never objected to this bill, and Mr. Tabor, who was the head of the Grange, visited me on my farm in Oregon and again this summer in my office in the Senate Office Building, and said, "I am very well satisfied with the proposition, but I believe the debenture plan is a better one. We will not push that until you first have an opportunity again to present your bill for the consideration of Congress."

Mr. KING. I accept the statement, of course, of the Senator from Oregon.

Mr. BROOKHART. I had some consultations with the Grange. I think the Senator's statement is substantially correct, but they were not for this bill. They were for the debenture bill, and they wanted this bill to pass or fail first and then try to put their bill forward and see if it would not pass at this Congress after the now pending bill had passed at this session—another reason why Mr. Peek did not want the McNary-Haugen bill to pass early in the session.

Mr. KING. Mr. President, will the Senator submit to a further interruption?

Mr. BROOKHART. I yield.

Mr. KING. I do not know whether the Senator meant to criticize my statement. I stated that a year ago, as I understood, the Grange was not in favor of the McNary-Haugen bill as then before the Congress.

Mr. BROOKHART. I think it is fair to say that they are not in favor of it.

Mr. KING. I base that statement upon communications which I have received.

Mr. BROOKHART. On the other hand, out of courtesy to the other farm organizations, they did not want to turn around and say, "We are fighting it."

Mr. KING. I recall receiving some papers—published by the organization, as I was advised—which expressed opposition to it. Now, what their attitude with respect to the pending bill is I do not know, and that is the reason I asked the Senator. I sincerely hope the Senator from Oregon was not criticizing my statement of the attitude of the Grange a year ago as being inaccurate.

Mr. McNARY. Not at all; I have no reason ever to criticize the distinguished Senator from Utah. I was only explaining the present attitude, as I interpret it, of the National Grange.

Mr. KING. The Senator may be right. I was merely asking the Senator from Iowa what the present attitude of the Grange was; and I am very glad to be advised by the Senator.

One other question, if the Senator from Iowa will permit me. I recall during the last summer there were a number of meetings of farmers in Iowa. Some of those meetings were labeled "meetings of corn farmers" or of producers of corn; but my recollection is—and if I am in error I want to be corrected—that they were not particularly enthusiastic or anxious over the old McNary-Haugen bill but had some other measure. What was that measure which did meet their approval? Was it the one which the Senator from Iowa is now advocating?

Mr. BROOKHART. Mr. President, I think the rank and file of the farmers supported the original Norris bill quite strongly. A large part of my bill is copied from the Norris bill; in fact, the main features of it are copied from that measure. I think there is no doubt the farmers are demanding equal rights of the Congress as promised them by the platforms of both the great political parties of this country.

Mr. WATSON. Mr. President, will the Senator from Iowa yield to me?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Indiana?

Mr. BROOKHART. I do.

Mr. WATSON. I became acquainted with George N. Peek, Chester Davis, Doctor Kilgore, Mr. Frank Murphy, and other gentlemen interested in this farm measure, something over three years ago when they were pressing the measure at that time. It may have been four years ago; I am not sure as to the date. My attention was first directed to the economic phases of this bill by the Vice President, and with him I very frequently met with different economists to discuss the economic phases of this proposition, in which I was deeply interested.

Mr. BROOKHART. I think the Senator from Indiana is right. The measure ought to be called the "Dawes bill."

Mr. WATSON. No. The bill had been introduced; the Vice President had nothing in the world to do with its formulation or its introduction. Of course, he will tell the Senator that.

That was some three or four years ago; and, of course, the Senator would not suggest that Mr. Peek and these other gentlemen were formulating a bill to be held for three or four years in order to have it constitute a platform upon which the Vice President might run for President. The Senator is too kind-hearted and too generous to do that, I know. I will say that during all this time I have been in conference with those gentlemen, off and on, during the intervening months. Mr. Peek and his associates came here immediately after the Christmas holidays; I had some correspondence with them, in which I told them that there would be no opportunity to take the bill up before the holidays. I consulted with my friend the Senator from Oregon as soon as he came here before the holiday session. There was no opportunity to take the bill up, just as he said. They came here immediately after the holidays and began to discuss the measure. All of us together attempted to influence the chairman and various members of the committee to have the bill reported. I had conferences later with Democrats and Republicans in the effort to have the bill reported. I talked about it with my friend from Oregon over and over again, and with other members of the committee who are equally interested in it.

There was no thought of individual preference for presidential nomination involved. We were just as sincerely in favor of legislation to benefit the farmer as is the Senator from Iowa or as he could be. We may have differed as to methods or as to the measure, but as to the end to be accomplished, as to the objective to be achieved, there was no difference; and it is unfair, I want to say, to Mr. Peek and these other gentlemen to say that they were doing everything they could to delay the measure, when I personally know—and I am entirely familiar with the facts—that they were here day after day pleading with us to get this bill reported from the committee, and they were impatient of the delay, too.

Mr. BROOKHART. Mr. President, what the Senator has said does not change the situation so far as this proposed legislation is concerned. I was acquainted with Mr. Peek and was closely in touch with him; I formed a very high opinion of his ability and all that; but just as quickly as he ascertained that I was not for Dawes for President, all of his sympathy with me, which had previously been complete, vanished and disappeared, and I have been the object of bombardment by him ever since that time.

Mr. BLAINE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Wisconsin?

Mr. BROOKHART. I do.

Mr. BLAINE. I listened with a great deal of interest to what the senior Senator from Indiana [Mr. WATSON] had to say with respect to certain gentlemen who I understand were presumed to represent the farmers here in the city of Washington, among them being a Mr. Peek, a Mr. Davis, and Mr. Murphy. Who are these gentlemen; what is their relationship with the farmer; where do they come from; what is their business; and who is paying their expenses?

Mr. WHEELER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Montana?

Mr. BROOKHART. I yield.

Mr. WHEELER. I can speak for Mr. Davis. He was formerly with the agricultural bureau and editor of a farm paper in Montana. He is one of the progressive Republicans in that State.

Mr. BROOKHART. He has been in the employment of Mr. Peek for quite a while.

Mr. WHEELER. But he was formerly editor of a farm paper in the State of Montana, and he has been associated with farm organizations and has followed agricultural-college work in

that State. He is one of the high-class citizens of Montana, and I am sure that he has been deeply interested in this proposed legislation in every way, shape, and form for many years.

Mr. BLAINE. That is one accounted for. Who is Mr. Murphy?

Mr. BROOKHART. He is a lawyer somewhere in Minnesota. I do not know much about him. He seems to be a very nice gentleman.

Mr. SHIPSTEAD. Mr. President, I can say a word for Mr. Murphy. I do not think he needs any defense from me. He comes from my State. I have known him for 25 years. He is a large landowner in Minnesota. He operates a great deal of farm land in that State. I have seen him here from time to time during the last two or three years, as I have seen Mr. Peek. I do not know that I have seen Mr. Davis.

I will say for these gentlemen that if they have some scheme to assist some one to ride into the Presidency upon the hobby horse of an agricultural relief bill, that is something they have never discussed with me. I will say further that I have found many people since I came to Washington who have come here for the purpose of lobbying for legislation. I have seen a great many lobbyists who pretended to speak for agriculture, and I want to say that during the past 25 years, if there is anyone who has sold out to the farmer, it has been those who have come here as leaders of the farmers to speak for the farmers.

When I first was introduced to Mr. Peek I was a little suspicious of him because I thought the chances were he was the usual type of representatives of the farmer who come to Washington. After I became better acquainted with him, while he may have fooled me, at least he made me believe that he was sincere; he made me believe that he talked in a language that I understood; he seemed to understand the economics of the situation. Finally I said to Mr. Peek, after I had seen him here several times, "Mr. Peek, if you are what you seem to me to be, you need not waste any time talking to me. Go and talk to others. I do not need it." I said, "I am glad I found one man here in Washington lobbying for the farmer who at least seems to be a sincere, honest, and an able man."

I have seen or learned of nothing since to change my view of Mr. Peek. In my opinion these men have all rendered valuable service. I can not believe they will now wreck their reputation for nonpartisanship by cheap partisan politics.

I do not question the point of view of the Senator from Iowa. The gentlemen to whom he has referred may have some scheme to assist some one to ride into the White House on this bill; I do not know anything about that. So far as this bill is concerned I shall reserve my remarks to a later time.

Mr. BROOKHART. Mr. Peek is generally for Governor Lowden. A good deal has been said about the farmers being for Governor Lowden, but I will have to say that they are getting the delegates for DAWES. So far as the poor old governor is concerned, he has been double-crossed, criss-crossed, cross-eyed, cross-legged, and cross-fired out of the contest before it begins.

Mr. BLAINE. I should like to ask another question, if the Senator will yield.

Mr. BROOKHART. I yield.

Mr. BLAINE. Are these three gentlemen the representatives of the farmers in the city of Washington?

Mr. BROOKHART. No; they are not. Mr. Murphy represents a bureau of farmers. I have had no experience with Mr. Murphy that would lead me to criticize him in any way, and I have had no experience with Chester Davis, except that he is closely associated with Mr. Peek and was an employee of Mr. Peek's, possibly.

Mr. GOODING. Mr. President—

Mr. BLAINE. I should like to ask another question.

Mr. GOODING. I should like to answer, if I may be permitted to do so, the question of the Senator from Wisconsin in regard to Mr. Peek.

Mr. BROOKHART. I yield.

Mr. GOODING. I will say that Mr. Peek is here representing the farm bureau—

Mr. BROOKHART. The Senator is mistaken about that.

Mr. GOODING. Out of the farm bureau grew the organization known as the Committee of Twenty-two.

Mr. BROOKHART. No; I was there when that organization was formed. The farm bureau had nothing to do with it. They were altogether on the outside.

Mr. GOODING. They have been a party to it all the time and they are behind this proposed legislation at the present time. I was present with that organization at a meeting which was held by the Committee on Agriculture. Mr. Peek has always taken a very active part in advocating farm relief legislation, and is here representing the organization of 22 States

that has gone on record for the pending bill. He is entitled to a great deal of credit for it. He has put in much time at the sacrifice of his own business, and I am sorry the Senator has seen fit to criticize him.

Mr. BROOKHART. Mr. Peek represents the bankers of 11 States, with two representatives each from 11 States making up the Committee on Twenty-two. Of course, I think the Senator from Idaho is not familiar with the situation.

Mr. BLAINE. Mr. President, will the Senator yield to another question?

Mr. BROOKHART. Yes.

Mr. BLAINE. It may not be important who is here advocating this bill or that bill, but it seems as if the three so-called farm leaders are Mr. Peek, a banker; Mr. Davis, a farmer or editor of a farm paper, and Mr. Murphy, a lawyer. Which of these three gentlemen may get an appointment on the board at \$10,000 a year, if their candidate, no matter who that candidate may be, succeeds to the Presidency?

Mr. BROOKHART. I do not know anything about that.

Mr. GOODING. Let me say to the Senator from Wisconsin that Mr. Peek is not a banker. Mr. Peek was in the agricultural-implement business, and, for all I know, is still in that business.

Mr. BROOKHART. Mr. President, after eight years of fighting on this proposition and after eight years of studying the economics of it halfway around the world, I am not willing to accept a theory advanced by somebody who is advocating a candidate for President. Why did Mr. Peek have this Hoover article inserted in the RECORD? It is the most unreasonable description of a situation that was ever put in the RECORD. Mr. Hoover's prices that I have quoted to you never deflated the farmer that \$20,000,000,000. If the farmers could have maintained even the Hoover prices, which I have claimed and claim now were too low, that deflation would not have occurred. These Hoover prices never increased the farmers' debt by \$12,000,000,000. These Hoover prices never increased farm bankruptcies by a thousand per cent; and after my personal experience and contact with this situation, I feel that the farmers have been betrayed by this leadership. I do not say my say behind anybody's back; I say right to his face.

Mr. FESS. Mr. President, a very good analysis of the McNary-Haugen bill has been made by Hon. E. C. Lampson, of Ohio, who, I think, expresses the views of the people of Ohio on the question. I ask permission to have it printed in the RECORD.

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

HOW THE McNARY-HAUGEN BILL WOULD OPERATE IN THE COUNTY OF ASHTABULA—POLITICAL FARM-RELIEF MEASURE LIKELY TO PASS CONGRESS IN APRIL

The McNary-Haugen bill passed Congress last session. It was vetoed by our courageous President on the ground that the equalization fee is unconstitutional. The President cited other objections and stated that the bill would be a tremendous burden upon agriculture. It would not be farm relief.

I have read hundreds of pages of testimony given at Washington before the House Agricultural Committee, and have read the testimony given in favor of the National Grange debenture bill. I indorse this debenture bill as the one practical means of artificially increasing prices of all farm products subject to export that has been submitted to Congress. However, the McNary-Haugen bill probably will pass the Senate this week. It may not pass the House, but the chances are it will pass the House, and that it will be vetoed again by the President if the equalization fee is retained.

The bill opens with a declaration of policy, which in substance is to preserve domestic markets, to prevent suppression of commerce with foreign nations, to provide for orderly marketing, to control and dispose of the surplus, to minimize speculation and waste in marketing agricultural commodities. But the declaration of policy is negated by the provisions of the bill.

The bill sets up a national agricultural board, with subboards for each agricultural product, with officers, clerks, examiners, inspectors, and a veritable host of tax gatherers. The word tax is not used. It is sugar-coated by the words "equalization fee."

The national board is authorized to enter into contracts with co-operatives and processors and loan Government funds to them to buy, store, and market the alleged surplus products, and later to dispose of such products. While a profit is possible, the consensus of opinion is that such surpluses will have to be sold at the world price and hence below the artificial domestic price. The Government is to pay this loss at first.

There is the first denial of the declaration of policy against waste. The bill provides machinery for creating an enormous waste of public funds.

It is the idea of the proponents that the establishing of such Government-aided co-operatives will place in the market an agency to force the price of commodities upward. Any other idea would defeat the primary purpose of the bill—namely, to maintain a price above the average cost of production, to raise the price. This is called stabilization.

Buying and storing commodities are instruments of speculation. Such acts are the normal methods of speculation through certificates that can be redeemed in the actual commodity. Hence the bill provides that the Government is to take a hand in speculation; the declaration of policy is thus made negative. Speculation is to be enhanced with Government funds. All of the people are to be taxed for the benefit of a few people.

But will there be benefit to even a few people?

Will this bill benefit any class of agriculture to a notable degree?

I do not think so.

Why not?

Because the evidence of the proponents of the bill demanded an equalization fee to raise a fund from all producers great enough to pay the enormous losses contemplated—to take care of the frightful waste in buying, storing, and dumping the surplus, bought at domestic figures and sold at world prices. That process absolutely demands the fee to provide the necessary funds to be wasted.

WHO WILL PAY THIS FEE?

Every farmer, whether he is a beneficiary or not of the scheme for raising the one-crop farmer at the expense of the general farmers of the Nation. Every generation, we get some panacea for making wealth from the hot air, that blows across the western prairies—the source of populism, State-ownership scandals, and broken bank guarantee laws.

Who pays this equalization fee, this excise tax, this crushing tax on all farmers?

The farmer first, and the general public last in added costs of living.

The direct tax comes upon the farmer first, whether he is benefited or not.

This is a compulsory cooperation bill with an organization over which the vast majority of individual farmers will never have a voice in management, policy, or affairs. It is a soviet form of agricultural dictatorship.

How will this tax be collected?

The proponents say by adding it to freight rates, or to sales to processors, or to the ultimate consumer.

The farmer is the ultimate consumer of 85 per cent of corn and 40 per cent of wheat.

In Ashtabula County, according to 1925 report of the National Department of Agriculture, there were 18,153 persons living on farms, a little less than one-third of the county population, which is the national average.

Of this number 15,600 lived on their own farms. There were 2,460 tenants. And there were 4,588 farms reported in this county alone, of which 3,782 are dairy farms. Of this number, 3,329 raised corn, 1,143 raised wheat, and yet our county farmers do not raise enough corn and wheat to supply their own needs. They buy wheat and they buy corn. They produce milk, as the main source of income, and they feed corn and wheat to make milk. Higher prices for feed can seldom be recovered in higher milk prices. This bill penalizes our farmer, even if it would increase the price of our grains. But that is not the greatest objection to the bill.

Let us apply it to potatoes raised on 2,828 farms in Ashtabula County for market above home needs.

Suppose the national board attempted to stabilize potatoes, which have fluctuated from 20 cents a bushel to \$5 in the past 20 years.

At what price would the potatoes be stabilized? No one knows. You can bet your last dollar it would not be at a high price, since nearly 100 per cent of the consuming public need potatoes and are not interested in high prices. The pressure would be for cheap potatoes.

But suppose the price were stabilized at \$1 per bushel as the average cost of production. (Who can say what that is?) Here is how the law would work in Ashtabula County for potatoes:

Every time a farmer drove to town to sell a bag of potatoes he would have to hunt up the local representative of the national board and pay him an equalization fee, which is nothing less than a tax on the farmer's right to do business. If he evaded this tax, he could be fined and imprisoned. Now apply this same tax burden to everything the farmer produces. Would it cripple rural trade transactions? Will the farmer love the tax gatherer? Can you see what the McNary-Haugen bill would do to every independent farmer in the Nation? Imagine millions, perhaps billions, of transactions to be recorded, fees collected, and the paper work reported, and then imagine the veritable swarm of tax scavengers devastating the land!

Soviet Russia is facing famine for trying to dictate to its farmers. What American farmer will produce more than he needs if he has to get a Government stamp for every purchase and sale he desires to make?

Our Revolutionary forefathers refused to pay the stamp tax of King George. Are the political dogmatists of 1928 blindly forcing the

vast army of independent American farmers into a modern stamp-tax revolt? It is time Congress gave serious consideration to this very great possibility.

E. C. LAMPSON.

Mr. NEELY. Mr. President, I send to the clerk's desk an amendment which I shall offer at the proper time to the pending farm relief bill, and ask that it be printed and lie on the table.

The VICE PRESIDENT. That order will be made.

Mr. HEFLIN. Mr. President, I always listen with a great deal of interest to the able Senator from Iowa [Mr. BROOKHART]. I listened to him with interest on yesterday when he was telling the Senator from Connecticut [Mr. McLEAN] that this Republican "prosperity" that we see so much about in the newspapers does not really exist amongst the masses of the people.

That is true of the South. The farmers of the South have never yet recovered from the Republican deflation panic of 1920 and 1921. Farm values in the South, as in the West, were destroyed to the extent of billions of dollars. Mortgage foreclosures, farmers losing their farms, and bank failures are the fruits of the Republican administration.

I am not satisfied with the proposed farm relief bill now before the Senate. It has some good features in it; but I can not see that Congress has the right to impose an equalization fee upon the cotton farmers of the country who are not members of a cooperative association and take money from them to put into a fund controlled by those cooperatives of which they are not members. If they want to become members of a farm organization—and I think they should—all well and good. But if they do not want to join a farm organization, that is their business. They ought not to be compelled by Congress to join any organization unless they want to; and unless they do join, Mr. President, they ought not to have to pay the equalization fee on their cotton unless they consent to do so. That is good, sound American doctrine. The cotton farmer is a sovereign citizen, and we have no right to impose this equalization fee or tax upon his cotton unless he is consulted and gives his consent to have it done. Senators, those of you who vote for that proposition as it stands are going to get yourselves in trouble.

The Senator from Iowa has told us of the numerous changing attitudes of Mr. Hoover, the Secretary of Commerce. Mr. Hoover seems to have a lot of sins to account for. He has taken a step right recently forcing whites and negroes to work side by side in the Commerce Department that will be repudiated by nearly every white man and woman in the country. Many intelligent negroes will realize that he is playing politics and has made a serious mistake.

What right has he to disturb the splendid segregation arrangement established in the Commerce Department by the Democratic Party, under which the negroes were working and getting along well in one section and the whites were working in another and pleased with the situation? They tell us that the high-brow negro organization for the advancement of the colored race called on Mr. Hoover and demanded that he do just what he has done in his "social equality" move in the Commerce Department. So Mr. Hoover comes now, in his effort to get delegates to a Republican National Convention, and is putting negro men and women in the offices to work alongside white women and girls. He has broken up the segregation plan that we had, and now he is distributing negroes all through the department promiscuously by placing them alongside of whites.

Will the white Republicans of the country tamely submit to this dangerous political play and humiliating action on the part of Mr. Hoover?

Mr. President, practically the whole white force in the Commerce Department is revolting, entering protests as far as the individuals dare to enter protest against this unpleasant, irritating, and offensive action on the part of Mr. Hoover. The letter read here to-day by the Senator from South Carolina [Mr. BLEASE] tells the story of humiliated white girls in the department coming here from the various States of this Union and being obliged to sit alongside buck negroes working in the department. Such a thing is a shocking outrage upon these fine American girls and a shame on any administration.

We do not have mixed schools in Washington. We have negro schools and negro teachers, negro churches and negro preachers, which is sound and right; and that is the best way to handle this question. We of the South know from long experience how best to handle it. You can not handle it without friction, prejudice, bitterness, and hate by forcing these races together in a contact that is unpleasant and disagreeable to the white race.

Mr. Lincoln, in his great debate with Douglas in 1859 at Charleston, Ill., said that as long as the two races are together he favored the white race occupying the superior place. He

was opposed to social equality and of marriage of whites with blacks. Mr. President, Lincoln was sound on that. The Southern States have put it in their constitutions that these things can not be. It ought to be so in the District of Columbia. Of course, it is very rarely that you would find this taking place; but I recall an instance when I was in the House some years ago where some poor, degenerate white fellow here in Washington married a negro woman, and Senator Hardwick, of Georgia, then a Member of the House, introduced a bill to prevent marriage between the races here, and certain Republicans in the House fought that bill. Mr. MADDEN was one of them.

Senators, Mr. Hoover can not play with this question in this fashion. I believe in treating the negro right; I believe in giving him a fair deal; and you give him a fair deal when you let him work where he can work in comfort and in ease. He is not going to be comfortable, he is not going to be at ease, when you force him into these rooms to work alongside white women and white men where that situation breeds unpleasantness and bitterness. It is not right. It is not best for either race. It is against the best interest of both races. God Almighty has made racial facts.

And you have no business, Mr. Hoover, to undertake to interfere with the handiwork of the Almighty. He had as much purpose in making four separate and distinct races as he did in making four separate and distinct money metals—copper and pewter and silver and gold. There is a climax in races as there is in everything else.

Just as the eagle is the king of all fowls, just as the lion is the king of all beasts, and just as the whale is the king of all the fishes of the seas, the white race is the superior race, the king race, the climax and crowning glory of the four races of black, yellow, red, and white. The South's doctrine of white supremacy is right and it is fast becoming the doctrine of the American Republic. Mr. Hoover will find out that the self-respecting white men and women of this Nation are not going to indorse this eleventh-hour political move of his, this miserable and shameful move to get negro votes, delegates to the Republican National Convention at Kansas City. And he is going to find out that while he is reaching out for the negro vote he is going to lose tremendously in the white Republican vote. The white people of the North—I mean the rank and file—do not believe any more in social equality than we do, and if he thinks they do he will find that he is mistaken. He is reckoning without his host. He is not going to be able to gather into his bosom the white Republican delegates, men and women of the North, and at the same time hug up with them these negroes that he is playing for, these "chocolate drops" that he is now handing out to the Negro race over the country.

Mr. President, in the name of the white men and women of my section of the country who work in that department and of the eastern section and of the northern section and of the western section of my country I voice their protest and express their indignation on this floor. If possible some steps ought to be taken to prevent this thing; and I want to say now as one United States Senator that if Mr. Hoover discharges any of these self-respecting white women of that department for making protest to Senators about this miserable condition into which he has thrust them I want them to give me their names and come and tell me their story and I will tell it to the American people in the Senate day by day.

AFFAIRS IN NICARAGUA

Mr. WHEELER. Mr. President, I have here an editorial from the Helena Daily Independent of April 5, 1928, entitled "Call in the Nicaraguan Army."

In this editorial it is suggested that as long as we have our marines down in Nicaragua, it might be well for the people of Chicago to call upon the little Republic of Nicaragua to send up her troops to supervise the election in that city. I ask to have the editorial inserted in the RECORD.

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is here printed, as follows:

CALL IN THE NICARAGUAN ARMY

The gangsters under command of the notorious "Scar Face" Al Capone took the first skirmish in the war between the bandits and the people who are to go to the polls Tuesday in Chicago to vote in the first primary election scheduled for this year. Out in the suburban municipality of Cicero, day before yesterday, gunmen armed with blackjacks, which they used freely on Democratic workers, elected a person named Klenka as mayor, running on the Republican ticket. The Federal agents have been called in to clear the atmosphere and assure the citizens of Chicago a chance to vote without intimidation. Experience the voters in Cicero encountered Tuesday doesn't encourage the Chicagoans to believe they will have much protection next week.

The suggestion made by a bystander, who, of course, doesn't live in Chicago, that the Government might profitably call in the Nicaraguan Army to supervise the election is a good one. It would be a graceful act of reciprocity and while our marines are handling the coming election for the Nicaraguans the troops of the little Republic could protect Chicago citizens against the Capone insurgents.

General Moncado had a large number of men under arms at the time Mr. Stimson, of Washington, D. C., went down to Nicaragua and arranged to have our marines supervise the election and doubtless Moncado would be willing to do us a good turn by sending his troops here, if it isn't too late, to do a like service for our Government. At any rate he could stay here until Chicago has developed some limited capacity for self-government. As affairs stand now, we are paying for our marines to handle the Nicaraguan election. Why should we also be forced to bear the expense of deputy marshals, special officers, or dry agents to supervise the Chicago election next Tuesday? Nicaragua should take the expense off our hands.

There should be an understanding that Nicaragua is not to keep her army of occupation in Chicago after that city has reached a point to exercise independence. It is reasonable to expect that the city will be fit for self-government, say, in about 50 or 60 years. The percentage of literacy is higher here than in Nicaragua, and great numbers of Chicagoans can read and write. Probably by the time both Nicaragua and Chicago are ripe for self-government we could give the order to withdraw our marines from the little Republic at the same time an order comes from Nicaragua for her troops to come home. Both Governments would then be on an equal footing and the exchange of international courtesies would excite the admiration of the world.

EXECUTIVE SESSION

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS

Mr. CURTIS. I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to, and (at 4 o'clock and 48 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, April 11, 1928, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 10 (legislative day of April 9), 1928

FOREIGN SERVICE OFFICER

George Wadsworth, of New York, now a Foreign Service officer of class 5 and a consul, to be also a secretary in the Diplomatic Service of the United States of America.

PROMOTIONS IN THE NAVY

Lieut. Robert B. Matthews to be a lieutenant commander in the Navy from the 1st day of November, 1927.

Lieut. Merrill Comstock to be a lieutenant commander in the Navy from the 28th day of March, 1928.

Lieut. (Junior Grade) Stuart S. Purves to be a lieutenant in the Navy from the 3d day of June, 1927.

Ensign Carson R. Miller to be a lieutenant (junior grade) in the Navy, from the 8th day of June, 1926.

Ensign Glenn R. Hartwig to be a lieutenant (junior grade) in the Navy from the 5th day of June, 1927.

The following-named pay clerks to be chief pay clerks in the Navy, to rank with but after ensign, from the 3d day of December, 1927:

Thomas E. Wright.
Geisert A. Howard.
Edward B. Parker.

George A. Looby.
Frank R. Briggs.

POSTMASTERS COLORADO

William L. Butler to be postmaster at Vona, Colo., in place of W. L. Butler. Incumbent's commission expires April 15, 1928.

GEORGIA

Judge T. D. Conley to be postmaster at Collegepark, Ga., in place of U. L. Cormical, removed.

INDIANA

John A. Johnson to be postmaster at Donaldson, Ind. Office became presidential July 1, 1927.

Henry J. Schroeder to be postmaster at Freelandville, Ind. Office became presidential July 1, 1927.

IOWA

Marvin K. Moore to be postmaster at Pacific Junction, Iowa, in place of M. K. Moore. Incumbent's commission expires April 15, 1928.

KANSAS

Henry B. Gibbens to be postmaster at Cunningham, Kans., in place of H. B. Gibbens. Incumbent's commission expired April 7, 1928.

MICHIGAN

Burton E. Giles to be postmaster at Plymouth, Mich., in place of M. G. Hill. Incumbent's commission expired January 31, 1928.

Ralph S. Wiggins to be postmaster at Sunfield, Mich., in place of R. S. Wiggins. Incumbent's commission expires April 15, 1928.

MINNESOTA

Olaf T. Mork to be postmaster at Madison, Minn., in place of O. T. Mork. Incumbent's commission expires April 15, 1928.

MISSOURI

William H. Smith to be postmaster at Holt, Mo., in place of J. N. Hunter, deceased.

MONTANA

Carl J. Sonsteli to be postmaster at Polson, Mont., in place of C. J. Sonsteli. Incumbent's commission expires April 15, 1928.

NEW MEXICO

Henry W. Wallace to be postmaster at Embudo, N. Mex., in place of H. W. Wallace. Incumbent's commission expired April 8, 1928.

NEW YORK

Celia M. Arnold to be postmaster at Chautauqua, N. Y., in place of C. M. Arnold. Incumbent's commission expires April 15, 1928.

Clarence R. Chismore to be postmaster at Ilion, N. Y., in place of C. R. Chismore. Incumbent's commission expires April 15, 1928.

Frank E. Whittemore to be postmaster at Johnson City, N. Y., in place of F. E. Whittemore. Incumbent's commission expires April 15, 1928.

John Jack to be postmaster at Lawrence, N. Y., in place of John Jack. Incumbent's commission expired March 27, 1928.

Charles H. Griffin to be postmaster at Oakfield, N. Y., in place of C. H. Griffin. Incumbent's commission expires April 15, 1928.

J. Arthur Haight to be postmaster at Peekskill, N. Y., in place of J. A. Haight. Incumbent's commission expires April 15, 1928.

NORTH CAROLINA

Atherton B. Hill to be postmaster at Scotland Neck, N. C., in place of A. B. Hill. Incumbent's commission expired April 3, 1928.

NORTH DAKOTA

Jessie L. Kinsey to be postmaster at Beach, N. Dak., in place of J. L. Kinsey. Incumbent's commission expires April 15, 1928.

Oliver Lundquist to be postmaster at Bismarck, N. Dak., in place of Oliver Lundquist. Incumbent's commission expires April 15, 1928.

William Roche to be postmaster at Inkster, N. Dak., in place of A. I. McConnachie. Incumbent's commission expired December 19, 1927.

Ora J. Goshorn to be postmaster at Rhame, N. Dak., in place of O. J. Goshorn. Incumbent's commission expires April 15, 1928.

James G. Acheson to be postmaster at Souris, N. Dak., in place of J. G. Acheson. Incumbent's commission expires April 15, 1928.

OKLAHOMA

Ira Thatcher to be postmaster at Vian, Okla., in place of I. B. Johnson, removed.

PENNSYLVANIA

Harry A. Miller to be postmaster at Rockwood, Pa., in place of H. A. Miller. Incumbent's commission expired February 18, 1928.

PORTO RICO

Christina G. Sandoval to be postmaster at Hato Rey, P. R., in place of J. C. Silva, resigned.

SOUTH CAROLINA

Cecil S. Rice to be postmaster at Denmark, S. C., in place of C. S. Rice. Incumbent's commission expires April 15, 1928.

Bessie T. Cooper to be postmaster at Mayesville, S. C., in place of B. T. Cooper. Incumbent's commission expires April 15, 1928.

George S. Wilson to be postmaster at Williamston, S. C., in place of G. S. Wilson. Incumbent's commission expires April 15, 1928.

TENNESSEE

Velnia T. Riley to be postmaster at Algood, Tenn., in place of B. D. Phillips. Incumbent's commission expired December 19, 1927.

VIRGINIA

Robert A. Pope to be postmaster at Drewryville, Va., in place of R. A. Pope. Incumbent's commission expired April 8, 1928.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 10 (legislative day of April 9), 1928

APPOINTMENTS, BY TRANSFER, IN THE ARMY

John William Bowman to be second lieutenant, Air Corps.
James Harve Johnson to be major, Quartermaster Corps.
Michael Al Quinn to be first lieutenant, Quartermaster Corps.
Edwin Bright Spiller to be major Coast Artillery Corps.

APPOINTMENTS, BY PROMOTION, IN THE ARMY

To be colonels

George Edward Lovell. Frank Luther Case.
William Preston Screws. Harry Edward Comstock.

To be lieutenant colonels

Fulton Quintus Cincinnatus Gardner.
Robert Charwood Richardson, jr.
Francis Webster Honeycutt.
Robert Madison Campbell.

To be majors

Truman Smith.
Lester Atchley Sprinkle.
Robert Walker Grow.
Joseph William George Stephens.
Richard Kerens Sutherland.

To be captains

Richard Cox Coupland. Samuel Francis Cohn.
Walter Alfred Elliott. John Augustus Rodgers.
William Joseph Burke. Deane Childs Howard, jr.
George William Brent.

To be first lieutenants

Leslie Page Holcomb. Ernest Byron Thompson.
Frank Hinton Bunnell. Elwyn Donald Post.
Charles Vinson Bromley, jr. Franklin Kress Gurley.
John William Harmony. Wilfrid Henry Hardy.
Philip Harrison Enslow.

VETERINARY CORPS

John Alexander McKinnon to be colonel.

INFANTRY

George Sheppard Clarke to be major.

MEDICAL CORPS

John Allison Worrell, jr., to be captain.

APPOINTMENT IN THE ARMY

MEDICAL CORPS

Frank Bolles Wakeman to be first lieutenant.

POSTMASTERS

ALABAMA

Harvey S. Hill, Cherokee.
Alexander H. Byrd, Eutaw.
Melvin D. Jackson, Phil Campbell.
Arthur P. Thompson, Piedmont.

ILLINOIS

Bernice I. Bryant, Browning.
Edward F. Ledoyt, Sandwich.

IOWA

Alexander B. Clark, Clarinda.
Hudson K. Piatt, Macedonia.
Miller S. McFarland, Marshalltown.
Frederick W. Woodrich, jr., Mount Vernon.
Harry C. Goplerud, Osage.

NEW YORK

Everett W. Pope, Hartwick.
Frank C. Percival, Mount Upton.

Benjamin C. Stubbs, Plandome.
Clarence A. Lockwood, Schroom Lake.
Harry A. Jeffords, Whitney Point.

NORTH CAROLINA

Trilby Love, King.
George W. Stanton, Wilson.

PENNSYLVANIA

Charles Lunden, Mount Jewett.

WASHINGTON

Rudolph R. Staub, Bremerton.
Lear M. Linck, Longview.

WYOMING

Flora Thomas, Grass Creek.

WITHDRAWALS

Executive nominations withdrawn from the Senate April 10 (legislative day of April 9), 1928

PROMOTION IN THE ARMY

To be major

Capt. Robert Graham Moss, Infantry, from March 24, 1928.
[NOTE.—Captain Moss died April 6, 1928.]

POSTMASTER

WISCONSIN

Ferdinand E. Grebe to be postmaster at Waupun, in the State of Wisconsin.

HOUSE OF REPRESENTATIVES

TUESDAY, April 10, 1928

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Lord God, our Heavenly Father, Thou art always stooping and writing on the ground, even when we see Thee not. Have mercy according to Thy great mercy. Thou dost forgive our pride, our false ambitions, and even our secret faults. We thank Thee that Thou dost bless us with the mercy of forgiveness. Do Thou banish our doubts, sanctify our sufferings, lighten our darkness, conquer our fears, and immortalize our hopes. Lead us to put supreme faith in all Christian institutions, and never allow the clock of progress to be turned back. Great problems are asking for solution. May our badge indicate always that we shall not permit the foundations of righteousness and justice to be vitiated. Holy Spirit, teach us our duty to God and man, and speak over the troubled world the holy words of peace and pardon. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 405. An act providing for horticultural experiment and demonstration work in the Southern Great Plains area;

H. R. 3315. An act for the relief of Charles A. Black, alias Angus Black; and

H. R. 5590. An act to authorize appropriations for construction of culverts and trestles in connection with the camp railroad at Camp McClellan, Ala.

The message also announced that the Senate had passed with amendments bills of the following titles, in which the concurrence of the House of Representatives was requested:

H. R. 5898. An act to authorize certain officers of the United States Navy and Marine Corps to accept such decorations, orders, and medals as have been tendered them by foreign governments in appreciation of services rendered; and

H. R. 8831. An act to provide for the collection of fees from royalties on production of minerals from leased Indian lands.

The message further announced that the Senate had passed bills of the following titles, to which the concurrence of the House of Representatives was requested:

S. 1476. An act for the relief of Porter Bros. & Biffle and certain other citizens;

S. 1731. An act to provide for the further development of vocational education in the several States and Territories;

S. 1736. An act for the relief of Charles Caudwell;

S. 1956. An act for the relief of Levi R. Whitted;

S. 1970. An act for the relief of Karim Joseph Mery;

S. 2524. An act for the relief of Josephine Doney;

S. 2535. An act granting to the State of New Mexico certain lands for reimbursement of the counties of Grant, Luna, Hidalgo, and Santa Fe for interest paid on railroad-aid bonds, and for the payment of the principal of railroad-aid bonds issued by the town of Silver City and to reimburse said town for interest paid on said bonds, and for other purposes;

S. 2711. An act for the relief of Walter W. Johnston; and
S. 3117. An act for the relief of the State of Connecticut.

BILLS AND A JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that on the following dates they presented to the President of the United States for his approval bills and a joint resolution of the following titles:

On April 7, 1928:

H. R. 142. An act to add certain lands to the Idaho National Forest, Idaho;

H. R. 144. An act to add certain lands to the Challis and Sawtooth National Forest, Idaho;

H. R. 328. An act to relieve the Territory of Alaska from the necessity of filing bonds or security in legal proceedings in which such Territory is interested;

H. R. 333. An act authorizing the sale of certain lands near Seward, Alaska, for use in connection with the Jesse Lee Home;

H. R. 343. An act to amend section 128, subdivision (b), paragraph 1, of the Judicial Code, as amended February 13, 1925, relating to appeals from district courts;

H. R. 465. An act to authorize the city of Oklahoma City, Okla., to sell certain public squares situated therein;

H. R. 1997. An act for the relief of Clifford J. Turner;

H. R. 3466. An act for the relief of George A. Winslow;

H. R. 4125. An act for the relief of Holger M. Trandum;

H. R. 5075. An act for the relief of W. J. Brison;

H. R. 5495. An act to provide for cooperation by the Smithsonian Institution with State, educational, and scientific organizations in the United States for continuing ethnological researches on the American Indians;

H. R. 5545. An act granting certain lands to the State of California;

H. R. 5923. An act for the relief of the Sanitarium Co., of Portland, Oreg.;

H. R. 6056. An act to provide for addition of certain land to the Challis National Forest;

H. R. 7463. An act amending an act entitled "An act authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims";

H. R. 7472. An act to grant to the town of Cicero, Cook County, Ill., an easement over certain Government property;

H. R. 9118. An act for the relief of William C. Braasch;

H. R. 9144. An act to provide for the conveyance of certain lands in the State of Wisconsin for State park purposes;

H. R. 9583. An act authorizing the reporting to the Congress of certain claims and demands asserted against the United States;

H. R. 10483. An act to revise the boundary of a portion of the Hawaii National Park, on the island of Hawaii, in the Territory of Hawaii; and

H. J. Res. 215. Joint resolution to authorize the Secretary of Agriculture to accept a gift of certain lands in Clayton County, Iowa, for the purposes of the upper Mississippi wild life and fish refuge act.

On April 10, 1928:

H. R. 359. An act authorizing the presentation of the iron gates in West Executive Avenue between the grounds of the State, War, and Navy Building and the White House to the Ohio State Archeological and Historical Society for the memorial gateways into the Spiegel Grove State Park;

H. R. 8499. An act for the relief of Arthur C. Lueder;

H. R. 10563. An act extending the provisions of the recreational act of June 14, 1926 (44 Stat. L. 741), to former Oregon & California Railroad and Coos Bay Wagon Road grant lands in the State of Oregon;

H. R. 10884. An act to amend the act entitled "An act to carry into effect provisions of the convention between the United States and Great Britain to regulate the level of Lake of the Woods concluded on the 24th day of February, 1925," approved May 22, 1926; and

H. R. 11579. An act relating to investigation of new uses of cotton.

STATUE OF ANDREW JACKSON

Mr. BYRNS. Mr. Speaker, I offer the following concurrent resolution and ask unanimous consent for its immediate consideration.

The Clerk read as follows:

House Concurrent Resolution 29

Resolved by the House of Representatives (the Senate concurring), That the statue of Andrew Jackson, by Mrs. Belle Kinney Scholz, presented by the State of Tennessee, to be placed in Statuary Hall, is accepted in the name of the United States, and that the thanks of Congress be tendered the State for the contribution of the statue of one of its most eminent citizens, illustrious for his distinguished services to the country in war and in peace.

Second. That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the Governor of Tennessee.

Mr. SNELL. I would like to ask the gentleman from Tennessee if that is the usual resolution passed in such cases?

Mr. BYRNS. I will say that in some instances no resolution is passed, but in most instances resolutions are passed, and this is in the usual form.

The SPEAKER. Is there objection?

There was no objection.

The resolution was agreed to.

BOUNDARIES OF THE CRATER NATIONAL FOREST

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 3225, an act to enlarge the boundaries of the Crater National Forest.

Mr. MADDEN. Mr. Speaker, for the time being I shall have to object.

Mr. HAWLEY. It will only take a few minutes.

Mr. MADDEN. It is not the time it takes now, but what it will take afterwards. I think until we have time to study that bill I will object.

LEAVE TO ADDRESS THE HOUSE

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent that on Thursday next after the disposal of business on the Speaker's table I may be permitted to address the House for 30 minutes.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that on Thursday next after the disposal of business on the Speaker's table he may be permitted to address the House for 30 minutes. Is there objection?

Mr. LAGUARDIA. On what subject?

Mr. TREADWAY. Tax revision.

There was no objection.

LEGISLATIVE APPROPRIATION BILL

Mr. MURPHY, from the Committee on Appropriations, by direction of that committee, reported the bill (H. R. 12875) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1929, and for other purposes, which was referred to the Union Calendar and ordered printed.

Mr. TAYLOR of Colorado reserved all points of order.

Mr. MURPHY. Mr. Speaker, I call up the bill (H. R. 12875), the legislative appropriation bill, to-day for the accommodation of the House. We will not start to read the bill to-day, but let general debate run along until such time as the House decides that it will close general debate, and then we will begin reading the bill. In the meantime I ask unanimous consent that the time for general debate be equally divided and controlled by the gentleman from Louisiana [Mr. SANDLIN] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MURPHY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the legislative appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. HAWLEY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 12875) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1929, and for other purposes.

Mr. MURPHY. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to dispense with the first reading of the bill. Is there objection?

Mr. BLANTON. Reserving the right to object, and I shall not object, there is going to be liberal debate, both general debate and under the five-minute rule?

Mr. MURPHY. I assure the gentleman that it is not the desire of the committee to limit debate.

Mr. BLANTON. This is the last one of the supply bills, and when we finish this we finish our work in the House as far as the supply bills are concerned. The gentleman ought to see to it that we get plenty of time for debate.

Mr. MURPHY. I can assure the gentleman that he will have no cause for complaint.

Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Chairman and gentlemen of the committee, this bill is the last of the regular supply bills to be reported out at this session of Congress. There is a deficiency bill to follow, but this is the last of the regular appropriation bills for the fiscal year 1929. One of the great problems of this Government since the World War has been the proper balancing of the Budget, getting outlays reduced as far as possible from war-time expenditures to the proper expenditures of peace time, and the success which has attended our efforts in that direction through the operation of the new Federal Budget system and the cooperation of the legislative and executive branches of the Government in support of the Budget system has made possible the continued reduction of Federal taxes. If the bills reported by the Committee on Appropriations and passed by the Congress had not been in harmony with the economy program of the administration, if there had not been harmony of action between the President and the Congress, the Ways and Means Committee would not have had much to do in preparing bills to reduce taxes.

Mr. GARNER of Texas. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. GARNER of Texas. Is not the larger credit due to the legislative branch of the Government?

Mr. CRAMTON. I would not say that.

Mr. GARNER of Texas. Why can not the gentleman say that?

Mr. CRAMTON. I would say to the contrary.

Mr. GARNER of Texas. Why, when the Congress has appropriated less money during the last five years than the Executive requested to run the Government?

Mr. CRAMTON. The executive branch has done wonderful work in paring the Budget below the demands that many make upon it, and we have supported the Executive so thoroughly that we have been able, ourselves, to pare somewhat below their figures.

Mr. GARNER of Texas. The gentleman says that the Executive did wonderful work in paring the Budget, and that the legislative branch did greater work in paring the estimates they sent to us.

Mr. CRAMTON. It is not necessary at all to lessen the credit due to the executive branch in order to have due credit for Congress. The gentleman from Texas [Mr. GARNER] will recall that in the 30 years prior to the adoption of the Federal Budget system, during the period when each bureau made up its estimates and they were assembled in each department and each department transmitted them to Congress through the Secretary of the Treasury, during the period when there was no revision of those estimates by any authority until they came to Congress, Congress found it necessary to reduce those estimates \$30,000,000,000 in some 30 years below the requests of the departments. Since we have had the Budget system, since the President has an agency at hand to study those requests and to study the relationship between the total of those requests and the total of our estimated revenues, the sum total that comes to Congress is not an undigested mass, as it was before, but is a considered total which Congress then proceeds to consider, item by item, and we have been successful in reducing them.

Mr. GARNER of Texas rose.

Mr. CRAMTON. Just a moment. Let me say this to the gentleman from Texas. I did not intend to make a speech on the Budget. As a matter of fact, I have a good hour's speech on that subject, but I do not want to go into it now too heavily. Just so long as Congress continues to support the leadership of the administration in the effort for reduction of Federal expenditures, just so long will the Budget system be successful and our expenditures will stay down; but when the time comes that Congress throws aside the wish for reduction of Federal expenditures and abandons support of the Budget, then the expenditures will go up and the Ways and Means Committee might just as well take a vacation so far as the reduction of taxes is concerned.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. BLANTON. Our annual expenses for this Government are just what the Congress appropriates. They go up when the Congress appropriates more money and they come down when the Congress refuses to appropriate the money. So it is the Congress, after all, that controls the expenditures.

Mr. CRAMTON. The Congress holds the purse strings and is entitled to credit, of course; and I say this, further, that the creation of the Budget system should be credited to Congress.

Mr. BLANTON. Certainly.

Mr. CRAMTON. It was not inspired by Executive leadership. The President to whom the first Budget bill was presented vetoed that bill. It was passed in the next administration with the approval of the President, although not because of his insistence upon it. The Budget system resulted from the desire of Congress to have such an agency, resulted from a congressional investigation, and Congress is peculiarly entitled to credit for the creation of the Budget system.

Mr. OLDFIELD. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. OLDFIELD. The gentleman says that the President to whom the bill was first presented vetoed it, and then when it was passed by the next Congress President Harding signed it, but the objectionable feature which caused the previous veto was left out of the bill.

Mr. CRAMTON. I am not making a partisan speech. I have stated this, that the Budget was the act of Congress and was not because of Executive insistence, and to emphasize that I say that it was vetoed by President Wilson for whatever reasons he set forth. The Record will show that. It was then passed in the next Congress, not because of insistence on the part of the next President, but because Congress desired it.

Mr. LINTHICUM. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. LINTHICUM. When President Wilson vetoed the Budget bill, it was not because he did not believe in the Budget system. It was because he did not think it was proper in that it tied the hands of certain officials, and he suggested certain amendments.

Mr. CRAMTON. I will leave it to these gentlemen to protect the motives of President Wilson in vetoing the bill. The fact is that he did veto it.

Mr. LINTHICUM. He gave good reasons for doing so.

Mr. CRAMTON. We passed it because we wanted to establish the Budget system, and we have supported it loyally.

Mr. HOWARD of Oklahoma. The gentleman will remember that that bill was vetoed by the President on constitutional grounds, and in that same Congress the special Budget Committee of which I had the honor of being a member reported a bill eliminating the objectionable features to which the President referred, and the bill passed.

Mr. CRAMTON. I do not desire to get into a controversy over that. I will let stand the statement that I have already made. The point I want to make this morning is that the Budget system, through the cooperation of the legislative and executive branches, has been a great success.

But it seems to me we have about gotten to the turning point. There is a restlessness on the part of Congress; there is a disposition on the part of Members of the Congress to press for specific appropriations in which their sections are interested; and there is some tendency and some evidence of a disposition on the part of those from one section who are interested in one project to join with those in another section, and in another and another, and get together possibly more magnificent pork barrels than the country ever dreamed of before. And if that tendency becomes an actuality, then I will say it will become definite that only the veto of the Executive can protect the economy program in which the Executive and Congress have heretofore cooperated.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CRAMTON. I will have to ask 10 minutes additional, Mr. Chairman.

Mr. MURPHY. Mr. Chairman, I yield to the gentleman 10 minutes additional.

The CHAIRMAN. The gentleman from Michigan is recognized for 10 minutes more.

Mr. CRAMTON. I want to call that emphatically to the attention of the House. It seems to me there has been an effort on foot here, and there is definite evidence of an effort, to form a most magnificent and glorified pork barrel. A pork barrel bill is, as I understand it, a bill which may have items that are more or less desirable, or all of them may be, but it is an aggregation of items in which many Members of the House are inter-

ested, and it depends upon the unification of those interests to secure its passage; Members from one State and another, 20 or 30 States, or all of them together, to secure the passage of a bill. There has never been such a tremendous scheme of consolidation of big projects as is now proposed; not to be passed in one bill, it is true, but to be passed through the unification of effort under the same principle.

We hear a good deal in this Congress about farm relief legislation, and the apparent prospect is that no effective program for farm relief, so far as the country at large is concerned, will come into being. But there are before Congress bills that are of great interest to agriculture, such as the bill that proposes a certain form of farm relief to a certain limited and favored group. A bill has been reported and is on the House Calendar to loan 80 per cent of the value of irrigated land on reclamation projects to the settlers on those lands, and to use the reclamation fund to permit those settlers to develop those lands. I predict that when this House comes to understand what that bill means, that it means to give an extent of financial aid to those who expect to farm that irrigated area that the Congress refuses to give to those who farm other areas, that bill will not get far.

There is another bill of great interest to agriculture, and—

Mr. ARENTZ. Does the gentleman mean to say there is no limit to that bill that he speaks of?

Mr. CRAMTON. I said 80 per cent.

Mr. ARENTZ. Oh, no; not 80 per cent. There is a definite statement as to the number of hundreds of thousands of dollars. Eighty per cent is not a correct statement, I will say to the gentleman from Michigan.

Mr. CRAMTON. It is a pretty generous relief that is to be given to those engaged in that particular class of farming.

Then there is what is known as the Columbia Basin reclamation project. I have here a copy of a letterhead of a prominent hotel in Seattle, and it carries the same propaganda on the back of it as is carried by many business concerns in the State of Washington. The Columbia Basin reclamation area which it is proposed to improve and reclaim by a bill favorably reported in this House, and which it is proposed to pass at this session, comprises 2,942 square miles. Arguments for it are boiled down in this propaganda that business houses carry to the country. It is here stated that this project, which has been favorably passed upon by a committee of the House, will add 1,883,000 acres to the cultivated farming area of America. They say it will add more than \$600,000,000 to the taxable wealth of the Nation. It is figured and pointed out by my correspondent, an irrigated landowner in the State of Washington, that if it will add \$600,000,000 to the Nation's taxable wealth, that means a tax valuation of \$300 an acre, or \$23,100 per farm, that the settler in this Columbia Basin will undergo when he goes on the land. It is stated that it will annually add \$180,000,000 to the consumption of manufactured goods, and my correspondent says that that means \$7,347 for each family; goods that these settlers are going to buy from the East. Then they say it will yield \$200,000,000 of farm products; that is, \$106 an acre, or \$8,162 per family, as the farmer figures it; that it will support 24,500 families on irrigated land. Promises that glitter and lure, but do not stand up under analysis.

I have two letters here from the State of Washington from those who are experienced in irrigated lands in the State of Washington. They remind me of what is now the fact that land now irrigated on Federal projects in the State of Washington are not making full payments of their construction and operation costs, notwithstanding their costs are not nearly what they will be on this proposed new Columbia Basin project.

I am not going into details, but I may ask consent to put in something from these letters in connection with my remarks. First is this one "from Old Timer":

SEATTLE, WASH., March 29, 1928.

Representative CRAMTON, of Michigan,
Washington, D. C.

DEAR SIR: Under date of March 19 you are quoted as being in favor of a more thorough investigation of the Columbia Basin project before being approved by Congress.

I have farmed by irrigation in the Yakima Valley for the past 12 years, and I do know a little about the actual facts pertaining thereto. I have no axe to grind, but I do not want to see a lot of people go onto the place, invest their life savings, and walk off the place broken financially in spirit and in health. That is my sole object in writing you and with you advising caution.

I have the occasion to see a new Washington hotel (Seattle) letterhead, and on the back thereof the wonderful paper profit in the proposed Columbia Basin project for the 24,500 families it will support, they say. Am inclosing the same herewith.

To use their figures, putting 24,500 families on the 1,883,000 acres will give each family 77 acres. This acreage will produce \$106 crops per acre, or \$8,162 per family farm, and of which amount he is going to buy annually \$7,347 per farm for eastern manufactured goods. This will leave this family \$815 to meet the following:

I will assume he gets the 77 acres for nothing, but it is estimated it will cost \$159 per acre to put the water on the high corner of his farm, so he has a bill of \$12,243 for water from Uncle Sam or Mr. Work to start with for construction alone, and if Uncle only asks him 5 per cent interest thereon he will owe Uncle \$612 per year (we will forget the installments that Uncle, through Mr. Work, will ask he pay yearly, because they will not trust that settler very long. He has got to pay or move off, as his farm, without water, will go to the dogs so soon; he will not stick long). He will pay every year as long as he farms the 77 acres some \$3 at least for the water he uses and keeping up the Government ditches and canals, or a total per year for the farm of \$230. Now, this farmer starts to get his farm in shape, level it, build flumes, his house, barn, sheds. Now, when he gets to this point his land is taxable at \$300 per acre, or \$23,100, for the farm. The county treasurer will not trust this settler very long either.

Now, these Columbia Basin boosters will not guarantee him \$106 per acre, and try as he will he has not been able to do it in the past 10 years on the average, by far. That I know. Now, Mr. Hervey Linley and his fellow constituents say the crops they will raise there will not compete with those raised on other irrigated lands now already developed. Confidential like, I would like to know just what they expect to raise there? That is weak and cheap talk, as they will not invent any new crops. The cold facts are, and I know that section for some thirty-odd years, there may be a lot of crops they will not be able to raise at all, and all on account of the climatic conditions. That has to be tried out first, and will be expensive to the first several crops of settlers who go on it. I will tell the gentlemen boosters—and including Senators JONES and DILL—that as sure as God makes little apples the first three lots of settlers that go onto the project with a reasonable amount of money will walk off of the 77 acres worse than broke, and take the merchants and banks thereon with them, in the first 10 years. These same 24,500 settlers can now go on already developed irrigated lands for less money, and at that they will be kept darned busy doing better than playing even. Let Congress go slow, and go easy.

Merely,

AN OLD TIMER.

Also the following:

GRANDVIEW, WASH., March 27, 1928.

Representative CRAMTON,
Washington, D. C.

DEAR SIR: We note in Spokane Spokesman-Review that you are opposed to passage of Columbia Basin project bill without a thorough investigation. This agrees with views of most people who are familiar with the lands of the Columbia Basin.

We are under the Yakima project with a construction charge of \$52 per acre as against \$158 estimated under the Columbia River Basin, and the probabilities are that the charges will amount to a great deal more; at least, that is the history of other projects. The Yakima district has always ranked first as a successful United States irrigated district; lately we have dropped to second place, yet a great deal of first-class land is being sold for taxes and water. Fifty per cent of the farmers here were unable to pay their water charges last year according to the records.

The Columbia Basin project is pork-barrel politics pure and simple. The \$298,000,000 is what Spokane, Portland, Seattle, and Tacoma are after. Any settlers under the project will be so handicapped with charges that they never can pay out. You will understand that after water is put on the land in a very few years drainage must be provided to take the excess water off, otherwise the land will alkali and become worthless, and these drainage projects mean an average cost of about \$25 per acre, making the land too high priced for farming.

We would suggest that if you haven't already done so, that you have a talk with Commissioner Mead, of the Reclamation Department. We understand that at one time he made a booster talk at Spokane in regard to the matter and has been sorry ever since.

Thanking you for your interest in the matter, I am,
Yours very truly,

D. W. BRACKETT.

My immediate purpose in rising now is to give you a little idea of the magnitude of this Columbia Basin project, which the boosters say "is as important as adding another State to the Union." It has been favorably reported to this House and is, I understand, also favorably reported to the Senate.

Now, how is it expected to pass that bill through Congress? Standing by itself it has no chance whatever of passing at this session of Congress, but it is alleged by its friends and by its propagandists that they have been able to work out a deal which assures its passage.

No other city is quite as much interested in this project as Spokane. The center of the organization and the activity for this great project is in Spokane. The leading newspaper of Spokane—the *Spokesman-Review*—might well be thought to speak for this project, and under date of March 24 I find this article in the *Spokesman-Review*, bearing the heading:

Cinch passage for basin bill.—Senate leaders say it is sure to win this session—in big combine.

From the article itself, marked "Special to the *Spokesman-Review*," under date of March 24, I read this:

That the Columbia Basin bill will pass this session before adjournment is now conceded by Senate leaders, particularly those opposed to it. The bill will not pass alone but as part of a general program, which includes the Boulder Canyon Dam bill, Mississippi flood control, farm relief, and a tariff rider on the tax reduction bill.

According to information obtainable from Senate leaders, a combination has been perfected that is in control of the Senate, and this combination has more than enough votes to put through the several bills in which its Members are interested.

This great glorified pork-barrel combination—

The leaders admit that personally they are arrayed against most, if not all, the bills included in the combination, but they are equally frank to confess their inability to block the passage of these bills.

The order in which they are to be taken up has not been decided, but Mississippi flood control probably will be given first place—

And that was an accurate prediction—

having been first reported from committee, and the Columbia Basin bill may follow immediately after the Boulder Canyon Dam, which now is expected to follow behind flood control. The Columbia Basin bill has less national support than the other bills in the program, being more confined in its scope. Thus advocates of this measure have been pressed by necessity into joining forces with Senators interested in other legislation equally important to their communities.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. MURPHY. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. CRAMTON (reading):

Indications are that the House of Representatives will hold back and wait for the Senate to pass the Columbia Basin bill, but Boulder Canyon Dam advocates in the lower branch of Congress are tired of waiting on the Senate and yesterday began a drive to bring their bill up for action. If they are successful, Representatives HILL and SUMMERS, of Washington, will ask the Rules Committee for a special rule to bring up the Columbia Basin bill in the House as soon as Boulder Canyon Dam is out of the way.

I have another statement, but the clipping does not give the date. It is a local item from the *Spokesman-Review* at Spokane, and it quotes a letter:

"My faith in getting the Columbia Basin authorization bill through this session of Congress is firmer every day," wrote Hervey Lindley, of Seattle, president of the Columbia Basin Irrigation League, in a letter from Washington. The letter was read at the meeting of the local Columbia Basin organization executive committee at the noon meeting at the Davenport Hotel in Spokane Thursday.

Chairman Roy R. Gill, of the executive committee, after reviewing other advices from Washington, expressed optimism that the bill will go through.

The Columbia Basin workers in Washington report that the bill will almost certainly pass the Senate and has at least a 50-50 chance in the House.

And then there is a paragraph to raise several thousand dollars in each of the cities in the State of Washington for the promotion of this bill—

At the same time that affairs at Washington look rosy, the situation in this State is clearing up as regards finances. Seattle has accepted a quota of \$6,000 for 1927. This is \$2,000 less than was asked, but there is a possibility that the other \$2,000 may be paid. Seattle's quota for the period from June 1, 1927, to May 31, 1929, is \$16,500.

Liberal financing of the campaign.

Then here is an illuminating item showing the sort of political by-products which come from movements of this kind which will be of interest, probably, to my colleague from that State:

Mr. Gill, a Republican, drew applause from the Democratic members of the Columbia Basin organization when he announced that he would support Congressman SAM B. HILL, Democrat, for reelection. Congressman HILL is the only Member of the House from this State that has fought hard and consistently for Columbia Basin legislation. Mr. GILL said. According to Mr. Lindley, Congressman HILL has done much to line up the Democratic vote in the House for the bill.

So Gill counts little on Doctor SUMMERS and the other Republicans from that section, but feels out there that they have the Democratic vote in the House corralled. Whether that includes my friend from Texas [Mr. GARNER] or not I am not advised, but they feel they have the Democratic side corralled and seem to be disappointed that the Republican side has not been corralled. Must it be left to the Republicans in the House to save the economy tax-reduction program?

But, aside from that, I have tried to emphasize to the House that here is a tremendous program, involving great expenditures. The flood control bill has come through without regard to proper financial considerations which should actuate the Government. It faces the danger of a veto at the other end of the Avenue if the House passes it in the shape the Senate did. Then comes Boulder Canyon, another tremendous expenditure. I do not know whether they are going to try to jam that through under the same combination of strength as is here suggested or whether it is the expectation to pass a bill which is in harmony with the financial program of the administration.

And then this bill: Fifty years from now will be somewhat too early to build that Columbia Basin project with \$300,000,000 out of the Federal Treasury—not out of the reclamation fund, as has been heretofore the case, but out of the Treasury—and then loan it out to the settlers through the construction of that project and have again the same experience we have had on similar projects where the Government has been the absolute insurer of success. When a private irrigation district is built, the money is borrowed from banks.

A firm of engineers is employed, and that firm of engineers can not always forecast the difficulties to be encountered. They give their best judgment, and the project has to pay the bill. If, when they build the project, they find there are some difficulties encountered that were not anticipated, the project has to pay the bill. But when the Government donates its engineering services, lends the money for 40 years without interest, it has been held as an insurer in the past, and whatever difficulties the engineers encounter that were not foreseen, the Government must pay the bill and not the project.

So with this kind of history back of us we are asked to take \$300,000,000 out of the Treasury and put it into this tremendous, vast expansion of our agricultural acreage, and I insist that unless there does come such a combination as is here alleged, such a combination of various great interests each of which represents some section of the country, each of which has a great popular appeal in that section of the country, without a combination of such great activities this bill can not pass, and the other bills would be held down to a common-sense basis.

Mr. COLE of Iowa. Will the gentleman yield for a question?

Mr. CRAMTON. I wanted to yield back the remainder of my time, but I yield to the gentleman.

Mr. COLE of Iowa. In connection with the gentleman's speech, would the gentleman give us an idea of how much of the money that has been advanced by the Government to these reclamation projects has been repaid.

Mr. CRAMTON. I could not give that offhand. There has been, as I recall, about \$145,000,000 expended, and very recently we passed a bill to wipe off the slate \$28,000,000 of that expenditure, and a good deal of it on such grounds as I have indicated.

Mr. COLE of Iowa. Could the gentleman give us any indication of how many of these projects have been a success from the farmer's standpoint?

Mr. CRAMTON. Many of the projects. I am willing to say that, in my judgment, most of the projects have been successful; that is to say, if these settlers had borrowed the money from private sources and had fully expected to pay it back, as they would expect to pay it back if borrowed from private sources, they would have paid it back and they would be making a splendid showing; but having borrowed it from the Government, there have been campaigns year after year to have payment postponed, and then wait. It has even been the case that bankers in communities where these projects are located have gone about among the settlers and have asked them to pay their other obligations and not pay the Government. It has even been the case that some settlers who desired to pay have been urged by their neighbors not to pay because it would be establishing a bad precedent. [Laughter.]

Mr. COLE of Iowa. My question related only to those projects financed by the Government.

Mr. CRAMTON. I am speaking entirely of those projects.

Mr. LINTHICUM. Will the gentleman from Michigan yield?

Mr. CRAMTON. I yield.

Mr. LINTHICUM. May I suggest to the gentleman, if he will allow us a little more irrigation here in the East, we will

show the gentleman how to raise some revenue to pay for this irrigation in the West.

Mr. CRAMTON. I may suggest to my friend from Maryland, the leader of the wet bloc of the House, that he get his bill for the destruction of the Volstead Act, join this combination and bring in Maryland and New York City, which constitute about all the votes he has, put them into the combination, and maybe the gentleman can get his bill through; but that is the only way he has any chance of getting his bill through this Congress.

Mr. LINTHICUM. I want to say to the gentleman—

Mr. CRAMTON. Mr. Chairman, I yield back the remainder of my time.

Mr. LINTHICUM (continuing). We already have plenty of water. We are not looking for water; we are looking for other irrigation.

Mr. TAYLOR of Colorado. Mr. Chairman, I yield 30 minutes to the gentleman from Washington [Mr. HILL].

Mr. HILL of Washington. Mr. Chairman, the gentleman from Michigan has given you his idea of the proposed development of various projects, including the Columbia Basin project in the State of Washington.

I fully appreciate the fact that the gentleman from Michigan has a feeling of hostility toward the general policy of reclamation. The reclamation act of 1902, under which there has been Government development of arid lands in the West, was not placed upon the statute books at the instance of the Members of Congress from the East and the Middle West. It was placed there by the militant work and the unanswerable argument of patriotic men of the great West.

The policy of reclamation is a success. The only remaining great West and the only remaining surplus of agricultural land in this country are the arid lands of the Western States. The richest lands in America, lacking only the application of water to make them produce abundantly, have been kept there, no doubt, under some divine provision as a residuum awaiting the necessity for their development to constitute homes, rural life, and economic development for the States in which they are located as well as for the entire Nation.

I listened with some degree of interest to the newspaper article which the gentleman from Michigan [Mr. CRAMTON] read from the Spokesman-Review, published in Spokane, Wash. I have seen similar articles sent out from Washington and published in some other parts of the western country. It is a deliberate attempt on the part of some correspondent to discredit these great enterprises which the West is endeavoring to develop. One such letter was sent to a paper in Salt Lake City, Utah, the purpose of which obviously was to discredit the work of the Committee on Irrigation and Reclamation of this House and to make the country believe that the body of men on that committee were engaged in a log-rolling activity. I can say absolutely that I have been closely connected with the progress of this proposed legislation for the Columbia Basin, and there is not now and there never has been any arrangement or any effort to make an arrangement by which "you help me with this and I will help you with that"; not one single intimation of that character has even been suggested.

Of course, the Senate of the United States needs no defense from me, but I know the character of statements sent out from this city to other papers with reference to the Committee on Irrigation, and I do not hesitate to say that in my judgment that article was made up of untruths from start to finish.

I have a higher regard for the Members of the Senate of the United States than to believe that they would engage in any such enterprise. I know the two Senators from my State, the Senators most interested in the Columbia Basin, and I resent the slander that is intimated in this article that either one of these men would stoop to the scheme or device that is charged.

Why should we not have a development in the West? We are a part of the United States. If it were not for the subsidies of the Government to industries of the East, the owners who are to-day capitalists would be crawling on their bellies asking for bread. The whole country pays the bill. We are not complaining. You say you must have home markets in this country for agriculture, and in order to do that you must develop the industries of the country. I subscribe to that doctrine, but I want to say to you that the same rule works both ways. Is not the best market for industries in this country the home market? What are you going to do with the manufactured products if you do not have some one to sell them to? So, we are entitled to consideration, but when we come here and ask for legislation we see the representatives of the great body of enterprises that has grown fat on the bounty of this Government through favorable legislation coming here and saying, "This is not for you; this is not your Government; you are entitled to nothing."

Why, they stand up and talk glibly of equality of opportunity, and at the same time sit up on a pedestal of economic advantage looking over the great masses of the people. We are simply saying that we should be given an opportunity to develop as you have developed. We are not envying you your success, but we want to share in it. We can do that through development, and this Columbia Basin project is one of the greatest enterprises this Nation has ever had presented to it for development.

Notwithstanding hostile criticism by gentlemen from the Middle West, I say that we are entitled to it, and the benefits will not accrue to us only but you will receive them also.

You know it makes me sick to see a man keep the dime so close to his eye that he can not see an accumulation of dollars in front. This is a great enterprise; it would increase the markets, and social problems are involved in it as well as material problems, but we will confine it to the material phase. Why not develop the markets in this country for the industries we have as well as say to our farming class of people, "Develop industries that you may have markets"?

I want to resent again the slanderous statement in the article read by the gentleman from Michigan and say to you that I will leave it to any Member of this House if I have ever approached him with the proposition of helping me roll this thing over as logs are rolled in the back country? Have I appealed to any one of you except upon the merits of the plan, which I have a right to do, and beyond which I have no right to go, and have not done so. Neither has any other Member from the State of Washington in this House. We stand here on the merits of the bill. We are going to ask for a rule and ask the House to vote for a rule for its consideration. The time is ripe for its development.

Now, I want to tell you something about it. The gentleman from Michigan seems to think that if this bill is passed this great area including the Columbia Basin project would spring into full production to-morrow, that it would come into competition with the agricultural markets that now exist and would have a depressing effect upon them. He says 50 years from now would be soon enough to talk about this development. Certainly the gentleman can not mean that. What will be the demand for foodstuff 50 years from now, increasing as the population is at the rate of 2,000,000 people a year, counting nothing for the accelerated increase as the population grows larger—50 years from now we will have 220,000,000 people in this country. The farming land now in cultivation can not feed that many people.

This great Columbia Basin project will require years for its development. It will not require any great outlay of money from the Treasury for from three to five years at the least, probably not over \$250,000. Is the financial program of the President such as not to be able to expend that paltry sum within that length of time?

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. HILL of Washington. Yes.

Mr. CRAMTON. I notice on the business letterhead of the propaganda that there is broadcast the estimate that from the beginning of construction to the time of water it would take about eight years, and that, of course, as the gentleman knows, would mean a substantial expenditure in the very near future.

Mr. HILL of Washington. The question of construction will be postponed necessarily for a period of from three to five years, because there are certain preliminaries that must be gotten out of the way before construction work can begin. In the first place, we must make an agreement or compact with the States of Idaho, Montana, and Oregon as to the allocation of the waters of the Columbia River and its tributaries. There must be some preliminary surveys in determining the details of the construction of this work. The magnitude of the project is such that you can not possibly enter upon its construction for a period of some three to five years, and that is the estimate of those who are familiar with it from an engineering standpoint. I am not responsible for propaganda that goes out over this country. I know that the propaganda referred to by the gentleman from Michigan [Mr. CRAMTON] does not come from the Columbia Basin Irrigation League. I appreciate the fact that the people to whom the gentleman refers are deeply interested in this project, and that they are trying to put forth the most encouraging aspect possible with reference to it; but those of us who are close to the project and who have studied it, who are working for it and know it, are not harboring the idea that any such rapid construction can be had upon it.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. HILL of Washington. Yes.

Mr. MADDEN. I think I heard the gentleman say that it would take 25 years before they can begin the work. If that is

so, why could not we take 20 years in which to study it before we decide upon it?

Mr. HILL of Washington. The gentleman misunderstood me; I did not say that. I said it would take from three to five years to begin construction work, but in the meantime there is work sufficient to engage the attention of the Government and the Government officials in getting ready for that construction work. That is the statement I made.

Mr. CLARKE. Mr. Chairman, will the gentleman yield?

Mr. HILL of Washington. Yes.

Mr. CLARKE. Why does the gentleman think that now is the opportune time for going ahead with enlarging the farming area, when we already have before the House, or will have shortly, for consideration bills for taking care of the surplus of our farm commodities? What is the gentleman's answer to the general proposition of "hurry up" for the Columbia Basin project?

Mr. HILL of Washington. I shall be glad to answer that. In the first place, in order that you may get our viewpoint, I shall give you some conception of the length of time it will require to develop this project.

It will take from three to five years to begin construction, to be ready to begin construction. A canal 134 miles long must be built, 34 miles of which are tunnels and about 60 miles of which are concrete-lined canals, 47 feet wide at the bottom and 95 feet wide at the surface of the water and 27½ feet deep, and that will require from 8 to 10 years to construct. Included in that, of course, will be the building of a dam, which will be a very small part, comparatively, of the construction work. There would be, we will say, 11 years before we could get the water to the nearest edge of the land. Then bringing this project in in units of, say, 400,000 acres per unit, lateral canals would have to be constructed for the delivery of water to these units, and that would require, with the construction of the canals and the settlement of the projects, at least another five years. Then that land after it is put under water and after cultivation begins will require some additional years before it comes into full production. That will be only one unit. Then, after that, will come the development of the second unit, with a similar length of time and the expenditure of money required for its development and settlement, and then the third and then the fourth units, so that it is estimated by economists familiar with the project, with the conditions of construction and the conditions of climate, that 30 years will have elapsed from the time construction is authorized before it comes into full production. In 30 years from now we will have 60,000,000 more people in this country and in 15 years from now we will have 30,000,000 more people in this country than we have at the present time. Does the gentleman not realize that the increased demand for food supplies and for clothes and for all the necessities of life will be increased proportionately with the increase in population?

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. HILL of Washington. Yes.

Mr. CRAMTON. I wonder if the gentleman could give us some authority for those estimates as to the increase of population. Are they based upon estimates of Government authorities?

Mr. HILL of Washington. Yes.

Mr. CRAMTON. Or upon an expectation of materially liberalizing our immigration laws?

Mr. HILL of Washington. I shall be very glad to give the gentleman that information.

Mr. CRAMTON. I do not want to divert the gentleman. If he will insert it in his remarks, it will be entirely agreeable.

Mr. HILL of Washington. Let me read from a statement here. The statement I read from is contained in a report from the board of review appointed by the special commission composed of Doctor Mead and Assistant Secretary Edwards.

This board of review investigated this project and made its report, and this is a part of the report from which I am reading. They say:

The late Henry E. Wallace, Secretary of Agriculture, basing his estimate upon statistical information, stated that the population of the United States in 1950 would be 150,000,000. Dr. Raymond Pearl, specialist in vital statistics at Johns Hopkins University, in an article on "World overcrowding," estimates a population of about 150,000,000 in continental United States in 1950. Over the 1920 census, this is an increase of nearly 45,000,000. The Census Bureau estimates a population of 120,000,000 in 1930, about 15,000,000 over the population of 1920. To provide food for the normal increase in our population, not counting immigration, the Secretary of Agriculture estimated that it would be necessary to bring under cultivation 8,000,000 acres per year, or approximately 240,000,000 acres between now and 1950 (Yearbook of 1921).

This partly answers the gentleman's question.

Mr. CRAMTON. In view of the mention of the name of Secretary Wallace, is it not a fact that Secretary Wallace, as well as Secretary Jardine, opposes the opening up of even small irrigation projects, to say nothing of 1,800,000 acres?

Mr. HILL of Washington. I am satisfied that Secretary Jardine is opposed to it. I have no recollection as to what the attitude of Secretary Wallace was; but the weight of such opposition must be determined by the reasons therefor.

Mr. SUMMERS of Washington. Is it not a fact that a small area would be under cultivation in a few years, whereas the Columbia River Basin would not be under cultivation for quite a number of years?

Mr. HILL of Washington. Yes; that is true.

Mr. CRAMTON. The estimate of Secretary Wallace would at least be based upon our old immigration law and not based upon the present restrictive law.

Mr. HILL of Washington. In the hearings on this bill Congressman JOHNSON of Washington, who is the chairman of the House Committee on Immigration and Naturalization testified, according to my recollection, to this effect, in substance—that the increase in population annually under our present immigration laws and natural increase of population ran from one and a half to two million a year. I think there can be no question about the approximate accuracy of that statement. But those are matters which can be gotten from the Census Bureau with a greater degree of accuracy than I can give them here. We all recognize that there is at least a substantial increase in the population of this country annually of 2,000,000 persons, and as the population increases the natural increase will progressively become greater each year. There is no question about that.

In further answer to the gentleman from New York [Mr. CLARKE] I want to finish the reading of the statement that I had before me a little while ago. The Census Bureau estimates the population of 120,000,000 in 1930. I think we can very accurately verify that statement, we are so close now to 1930. To provide for the normal increase of our population, not counting immigration, the Secretary of Agriculture estimated that it would be necessary to bring under cultivation 8,000,000 acres per year or approximately 240,000,000 acres between now and the year 1950. This was taken from the Yearbook of 1921. I will read a further statement in this connection:

Improved land increased less than 5 per cent from 1910 to 1920, as compared with 15 to 50 per cent of previous decades, and this 5 per cent increase was practically confined to the precariously productive semiarid lands of the Great Plains region. The land in the United States suitable for agricultural uses without irrigation, drainage, or heavy fertilization is nearly all occupied. Consequently one of the great questions before the American people is, How to maintain the supply of foods and fibers for the increasing population at the high level to which we are accustomed.

Now, in further answer to the gentleman from New York on the agricultural situation, let me say this: That the student of farm economy recognizes the fact that the trouble with the farmer is not so much in the production of surpluses as in the lack of marketing facilities. If you will give to the farmers of this country the machinery by which they can put a bargaining power of 100 per cent behind the sales of their agricultural products, you will relieve the agricultural situation in this country. It is because they have not the marketing machinery, because they have nothing to say as to what they will receive for their products, but must pay the price at which the manufacturers sell their commodities to the farmer, a high price which enables them to make an excessive profit. The condition of agriculture, so far as the farmer is concerned, does not lie in the fact that profits are not made in agricultural products, but in the fact that the prices are fixed by the commercial dealer who controls the marketing agency and makes the profits. It is not a question of surplus so much as a question of marketing agencies. That is what the agricultural interests need, and that is what they ought to have.

Carrying out further the idea that I am now developing, and to justify the assertion that the time is now ripe for the adoption of this project, permit me to refer to some other statements that I have at hand. In the hearings on this bill you will find this statement:

A study of the Department of Agriculture's figures as to land under cultivation shows that something like 340,000,000 acres of land is being cropped. The Columbia Basin project, with 1,883,000 acres, would increase this a little less than one-half of 1 per cent and add nine-tenths of 1 per cent to our productivity, which will have scarcely any effect in increasing competition with present-day farmers and will be urgently needed 20 years from now, when our population will be at least 40,000,000 more than it is to-day.

Now, the Committee on Irrigation and Reclamation has recommended the passage of this bill, as did a similar committee in the other body of Congress. They had the facts before them. They knew what they were doing, and certainly they are entitled to have accorded to them some decent respect for their obligations as Members of this House. With this information before them, familiar as they are with the conditions obtaining in the great West, knowing the problems, knowing the resources, knowing the consequences of such great development, they have recommended that this bill pass.

In that report is a statement in the nature of a statement of facts, although, of course, mixed with estimates, which is as follows:

One feature of the investigation which particularly concerned the committee was the possible effect the development of this project will have upon agricultural production. It was shown that the area of the Columbia Basin project is but one-half of 1 per cent of the total lands in the United States now under cultivation and its complete development will add a little under 1 per cent to the present agricultural production.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. SANDLIN. Mr. Chairman, I yield to the gentleman 10 additional minutes.

Mr. HILL of Washington (reading):

Estimates of the time that will be required to construct the project vary, but the minimum is placed at about 10 years for getting water to the land. Another 5 to 10 years will be required to settle the first unit of approximately 400,000 acres. Probably 30 years will elapse before the entire area could be settled. It is of importance, therefore, to note that population of the United States is increasing at the rate of 2,000,000 persons per annum. By the time the Columbia Basin project becomes a factor in food production many millions of acres in new lands will be required to produce necessary food for this additional population, and the Columbia Basin project will be able to furnish but a fraction of what is needed.

To construct the main canal by which water is to be brought to the land involves an estimated cost of \$120,000,000 and the labor of seven or eight thousand men continuously for about 10 years, or an average of \$12,000,000 a year. Other large expenditures will be required during the succeeding 20 years to bring the total acreage of the lands of the project into production. The first unit of the project can not be brought into production earlier than about 15 years after construction work on the main canal begins. The agricultural markets, particularly of the Northwestern States, will be stimulated rather than depressed during the period of the construction of the project because of the additional demands for farm products arising from the presence of the construction force of the magnitude required for this work. This increased demand for farm products and manufactured products as well will have no offset in competitive production from the project for a minimum period of about 15 years, and there will be no appreciable competitive production therefrom for about 30 years. At the present rate of increase of population in the United States there will be 30,000,000 more people in this country 15 years hence than we now have, and at least 60,000,000 more people at the end of 30 years.

I want to refer to a still higher authority. I am going to quote to you from a letter the President of the United States wrote to the American Mining Congress at Sacramento, Calif., in 1924. The letter, in part, is as follows:

Similar possibilities of storage of water and development of power (referring to flood control, irrigation, and reclamation) are presented to us in the Columbia River, and many projects of less dimensions but of great importance to the future of our country lie scattered over the entire intermountain region. Some minor criticism has been made as to the policy of our unremitting development of these projects by those who have thought we were already overproducing in agricultural products. They feel that these projects should be stayed until agricultural production has readjusted itself. These criticisms lie in the lack of understanding that these projects may take many years for development; that they furnish but a small portion of the total increased food supply required even by our increase in population; that the utilization of their supplies lies in the development of the West itself. It is my purpose to unremittingly stimulate and encourage the development of these great projects by every authority of the Federal Government.

I want to say to you in this connection, and without any purpose of criticism, that the greatest obstacle to progress in the development of this country and of its resources is the lack of understanding, is the lack of information, and a short-sighted economic viewpoint. Of course, the development of this great project in the West will add just that much more to the markets for the industrial production of the East. We will

buy more of the gentleman's automobiles. We are buying as many as we can pay for now. If you will permit us to develop economically and increase our purchasing capacity one of the things we will buy more of than we are now buying will no doubt be automobiles. We will buy more of all manufactured products. The people now buy to the limit of their capacity, and I want to say to you that if you deny to people the right to develop and if you deny to them the right of economic advantage you are denying them the right of progress. [Applause.] What can a man do in this age of enlightenment and under our standards of civilization if he has no opportunity to get a reasonable return upon his activities? Why deny us, then, that opportunity? We have stood by the East and the Middle West, and we have helped you to put legislation through the Congress that will be of beneficial interest to you. We have stood the increased cost of manufactured products that the manufacturing industries of this country might flourish, on the theory that it is better to have home markets, even if we have to pay a little more for the goods we buy from them, than to have to come into world competition in the free-trade markets of the world.

Mr. CRAMTON. I do not want to divert the gentleman, but, if the gentleman will permit, let me say that the platform of the gentleman's party is not especially active in promoting that doctrine.

Mr. HILL of Washington. The gentleman is making this statement on his own responsibility. But I want to say to the gentleman from Michigan that the Democratic Party, with which I am affiliated, has never in the history of this country stood for free trade, never. [Applause.] There have been differences of opinion as to whether the tariff rates are not too high, but never has my party stood for free trade. Why, 40 years before the Republican Party was born the Democratic Party instituted a policy of protection. It is not the policy of any particular political party. I stand for the development of my country, all parts of it, and especially the part which I have the honor to represent.

Adverting further to the question of whether or not this proposed development is timely, if I had the time I would like to read from the report of the reviewing board, composed of such eminent men and economists, both engineers and economists, familiar with the economic and agricultural problems in this country, as are typified by Louis C. Hill, who had charge of the construction of the Salt River project, who had charge of the construction of the Laguna Dam on the Colorado River, a man of recognized authority, and about whom, and others associated with him, Commissioner Mead had this to say:

This board of review was selected to include men who were not only eminent as construction engineers but who were also familiar with the economic and agricultural aspects of reclamation.

The board of review consisted of the following eminent men, eminent as engineers and as irrigation economists: Louis C. Hill, of California; Charles H. Locher, of Maryland; Richard R. Lyman, of Utah; Arthur J. Turner, O. L. Waller, and Joseph Jacobs, of Washington.

This board, as a result of its investigation of this great Columbia Basin project, said in part as follows, in response to the question that they propounded to themselves—shall we develop our irrigable land?

In making a study of the advisability of putting so many acres of new land under cultivation, there must be kept in mind the fact that the last part of the great West has passed into history and that future tillable soil must come from irrigating our arid lands—

The CHAIRMAN. The time of the gentleman from Washington has again expired.

Mr. SANDLIN. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. HILL of Washington (reading):

And the future tillable soil must come from irrigating our arid lands, draining our swamps, or clearing our logged-off areas. The world's population is constantly increasing while the limit of the tillable area has been nearly reached.

In the rural districts of the United States the yearly increase of population is about 600,000.

This report was made in 1925.

These young people know farming and farming ought to be made profitable enough to induce them to remain on the farm. It will require approximately 100,000 new farms each year to satisfy such a need. The demand for agricultural lands is to be so great and available lands that offer a reasonable chance for agricultural success so scarce that rapid settlement of the more attractive areas may be definitely predicted. If the entire twenty or thirty millions of remaining irrigable

acres in the United States were reclaimed the normal increase in farm population requiring annually 100,000 farms would settle such an area in half a dozen years if the settlement were thus concentrated. The reclamation, therefore, of a large acreage in the Columbia Basin will not overstock the market.

President Coolidge in his letter to the farmers' conference November 17, 1924, points out that we are already importers of foodstuffs which we ourselves should raise. Much is heard concerning the surplus of foods being responsible for the low prices received by the producer. The trouble is not that we as a nation are raising too much, but that producers of foodstuffs have no satisfactory selling organization.

I say the man who wrote this report has a real grasp of farm economics.

Existing conditions compel farmers to accept prices offered while the speculator secures the handsome difference between what the producer gets and what a consumer pays.

Mr. MILLER. Will the gentleman yield for a question?

Mr. HILL of Washington. I yield to the gentleman with pleasure.

Mr. MILLER. Can the gentleman give the House any general idea of the character of crops that would be produced on this great project?

Mr. HILL of Washington. The crops that this project will produce comprise practically all the crops that can be produced in the North Temperate Zone except cotton and perhaps tobacco and some other crops of that character. I am not sure but that we might produce tobacco.

Mr. MILLER. If the gentleman will permit a further question, it would not be exclusively a wheat-producing area, but would produce fruit and other products?

Mr. HILL of Washington. It would be diversified farming. There would be stock raising and the production of the various food crops both for man and livestock.

Mr. CRAMTON. If the gentleman will yield, the cost of it, \$150 to \$200 an acre for the water rights, would be far above what would be feasible to use for wheat production.

Mr. HILL of Washington. I doubt myself whether it would be feasible to use all of it for wheat. It would not be used exclusively for wheat, but there would be diversified farming.

However, I want to state that on the arid lands in my State, if you will supply an abundance of water, we can stand a high cost of construction. It is not so much a question of the amount in dollars and cents that it costs to construct a project as it is that when it is constructed we have sufficient water. As we all know, water is the first and the primary essential in the successful development of an irrigation project. We have an abundance of water in this case from two distinct sources. We have the Columbia River to draw from and we have the great Pend Oreille, which is known as the Clarks Fork of the Columbia River. There is no question about the supply of water. If one source is not available the other source is available. No other project in the world has such an advantage as the Columbia Basin project so far as sources of water are concerned. You can not shut us off from a water supply, and when we get a sufficient water supply we can pay any reasonable cost of construction.

There is no question about the feasibility of this project; there is no question about the timeliness of it, and there is no question but that we are putting it up to you squarely and fairly on its merits. [Applause.]

The CHAIRMAN. The time of the gentleman from Washington has again expired.

Mr. SANDLIN. Mr. Chairman, I yield the gentleman one minute more.

Mr. SINNOTT. Will the gentleman yield for a question?

Mr. HILL of Washington. I yield to the gentleman.

Mr. SINNOTT. Criticism has been made as to this land coming in too early. Now, that entire matter rests with the Secretary of the Interior, in the first place, with the Budget Bureau, in the second place, and then with the House Committee on Appropriations and the House itself as to how much money shall be appropriated each year. The Secretary of the Interior, the Budget Bureau, the House Committee on Appropriations hold the brakes on this matter. This land can not be brought into production or into cultivation improvidently or too hurriedly without the consent of Congress. We hold the brakes each year; is not that true?

Mr. HILL of Washington. That is absolutely true.

Mr. CRAMTON. Will the gentleman yield in that connection?

Mr. HILL of Washington. Yes.

Mr. CRAMTON. What happens, however, is this. As soon as Congress approves the project settlers rush in there and take up the land. They are not told that it is going to be 25

years before they get water. Then, if there is a delay, we get the kind of letters I have been getting recently from settlers in the State of Oregon that they have had vain hopes for many years.

Mr. SINNOTT. No; the minute the project is authorized, any public land therein is withdrawn from entry and it is not open to entry.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. MURPHY. Mr. Chairman, I yield 20 minutes to the gentleman from California [Mr. EVANS].

Mr. EVANS of California. Mr. Chairman and members of the committee, the subject on which I propose to address you for a few minutes is a most depressing one and particularly so with me, because it concerns so many people well known to me, and among whom were scores of close, personal friends of many years standing. The unspeakable disaster that visited the little Santa Clara River Valley in Los Angeles and Ventura Counties on the night of the 12th of March, when the St. Francis Dam collapsed, from which more than 400 lives were snuffed out and millions of dollars of property damage resulted, is of such deep and general concern to the people of all parts of our country, I feel that it will not be out of place for me to offer the Congress a brief statement of the facts and conditions under which this appalling catastrophe occurred. Many Members of this body, out of that sort of human interest in the well-being of others, so characteristic among American people, have made inquiry as to this disaster, and my purpose is to mention only a few of the major features of this tragedy at this time.

The St. Francis Dam was located in the San Francisquito Canyon, about 45 miles northeast of the city of Los Angeles in Los Angeles County, and in the congressional district that I have the honor to represent.

Mr. W. T. FITZGERALD. Mr. Chairman, will the gentleman yield?

Mr. EVANS of California. Yes.

Mr. W. T. FITZGERALD. How far from Los Angeles was this dam?

Mr. EVANS of California. Some 40 miles.

Mr. W. T. FITZGERALD. And that was a part of the water supply for the city?

Mr. EVANS of California. The water was a part of the supply of the city.

It was one of the 9 or 10 dams built by the city of Los Angeles for the storage of water along the great Los Angeles aqueduct, which leads from a point in Inyo County a distance of 234 miles to the city of Los Angeles. The building of this aqueduct was begun in 1903 and completed in 1913 at an original cost of about \$24,000,000. In order to utilize the full carrying capacity of the aqueduct, which is approximately 20,000 miners' inches, it was necessary to build these storage reservoirs along its course, so that at certain seasons of the year, when all the flow was not needed, the water could be stored and held for use in drier seasons, when the draft on the supply was much larger. This dam was 650 feet long and 205 feet high from the lowest point in the canyon and had a storage capacity of 38,000 acre-feet of water. Every member of the committee doubtless knows that an acre-foot of water is simply an acre of ground covered with water 1 foot deep; or, to express it another way, the capacity of this dam was about 12,000,000,000 gallons. The dam was located far up in the canyon, at an elevation above sea level of about 1,630 feet and a distance of about 52 miles from where the Little Santa Clara River empties into the ocean at Oxnard. The first 10 or 12 miles below the dam the canyon is very narrow and precipitous. As it approaches the ocean the canyon opens out into a beautiful, sloping valley, along which there were many beautifully laid out and highly improved farms, orchards of citrus and deciduous fruits of all kinds, many splendid homes, and four or five small cities of varying sizes. The lower or west end of the valley is in Ventura County and in the congressional district represented by the Hon. A. M. FREE. From the information so far obtainable it is probable that more people lost their lives in Ventura County in this disaster than in Los Angeles County, by reason of the fact that the lower portion of the valley is more densely populated and more highly improved than the eastern or upper portion. Some confusion has resulted in the minds of a great many people who gained the impression that this dam disaster occurred in the well-known and far-famed Santa Clara Valley of central California. This confusion should be removed, and it is proper to say here that the Little Santa Clara Valley in which this dam was located is some 300 miles south of the Santa Clara Valley of central California, of which the city of San Jose is the metropolis.

The two valleys have no connection in any way except in the similarity of their names.

To draw an adequate description of this tragedy in all its aspects, with all its human sufferings, its toll of life, and other deplorable consequences, would be difficult for anyone and I must say impossible for me. At the hour of midnight, when these happy and contented people were at their homes and asleep in their beds, resting from the arduous duties of farm life and other callings, with no reason for apprehension of danger from any source and without any warning whatever of danger, this horrible and onrushing torrent of death and destruction came and swept them by the hundreds into eternity. The wholesale destruction of innocent and defenseless human beings, a great majority of whom were helpless women and little children, as in this case, is of such horrible and indescribable moment that it is impossible to contemplate.

I have said that this disaster concerns me personally, and I trust I may be forgiven if I speak for a moment in a sort of intimate fashion concerning it. I have visited this little valley dozens of times during the past few years and have been the guest in many of the homes destroyed, some of which stand out prominently in my mind as I read of their destruction. For example, I remember only a short time ago of being in the home of a well-to-do and well-known Spanish family, located just a few miles below the dam. This was a typical Spanish home of the old type, comfortable residence building surrounded by the usual large trees of umbrella, eucalyptus, and pepper species so common in that section, under the shades of which were located the barbecue pit, outdoor tables, benches, and so forth, where the members of the family spent a great deal of their time in wholesome outdoor recreation. Only a short while ago I sat under these trees with the members of this happy family, the father and the mother, sons and daughters, numbering eight in all, and upon hearing of this catastrophe I was naturally curious to know what had happened to this household. I have since read the story which recounted the destruction of every member, eight in all, together with the complete wiping out of the home and its entire surroundings. A visitor to this spot the day following the flood found no trace of this home. Later the bodies of the eight members of the family were all recovered and buried at the same time on a small elevation overlooking the ruins and desolation that only two days prior thereto marked the spot of the home and surroundings which they had enjoyed. There are others to which the same sort of particular reference could be made, and so the story goes with equal effect throughout the valley.

In disasters of this kind the first and most important thought in the minds of the people is what has been done and is being done in the way of relief of the stricken people of the section affected. First and within a few hours, as usual in all cases of great suffering of this kind, the Red Cross was on the ground and functioning. Offers of assistance came from many sections of the country, from various governmental and relief agencies, and from the President of the United States. While these offers of assistance were graciously received and deeply appreciated, the announcement was made that the local Red Cross and other relief committees on the ground were amply prepared to meet every requirement and responsibility. The Governor of the State of California, Hon. C. C. Young, was personally on the ground within some 10 or 12 hours, assisting in the direction of relief work and pledging the power and resources of the State to the full discharge of all humanitarian responsibility. The mayor of the city of Los Angeles and other representatives of the city were equally punctual in their efforts in rendering relief duty, and also representatives of the Los Angeles Chamber of Commerce were present cooperating with the other agencies in every way possible. The Los Angeles County authorities placed at command of the relief committees every available means. Temporary buildings were readily constructed for the treatment and care of the injured and stricken people. Physicians, nurses, and other attendants were detailed for such service as could be rendered by them. The city council of the city of Los Angeles met within a few days after the dam gave away and appropriated a million dollars of ready money for immediate relief. This is being expended in first aid and also for the rehabilitation of the farm lands along the river requiring immediate repair and reconstruction work. In this connection it is proper to say that the city of Los Angeles has assumed all legal and moral responsibility for the giving away of the dam. Conservative estimates place the property damage at not less than \$5,000,000. It is altogether probable that it may double that amount. Regardless, however, of whatever the amount may be, the city of Los Angeles is amply able and eager to meet, in so far as possible, every obligation, both legal and moral, in this regard.

Mr. BRIGHAM. Did I understand the gentleman to say that the total damage was from \$5,000,000 to \$10,000,000?

Mr. EVANS of California. The total damage is being estimated now, and the last report I have is that it will not be less than \$5,000,000, and possibly twice that amount.

Mr. BRIGHAM. I thought there was some report that it exceeded \$100,000,000.

Mr. EVANS of California. Those were simply speculations made immediately following the catastrophe.

Mr. SUMMERS of Washington. I may be repeating, but it is the general understanding now, is it not, that the city of Los Angeles it going to make good the loss suffered?

Mr. EVANS of California. It is not only the general understanding, but the city of Los Angeles has already publicly and officially, through its government, its mayor, and city council, assumed entirely every responsibility, both morally and legally, for this disaster; and I know from information that I have received from the city of Los Angeles that this relief work is now going on, that 2,000 or more men are in the valley now cleaning up, and the city of Los Angeles has established a temporary office in the valley overseeing this work and the expenditure of this money.

Mr. SUMMERS of Washington. It is a most commendable spirit that has been manifested by the great city of Los Angeles, the like of which I am not able to recall in the history of America. I think that ought to be said, to the credit of that great city. [Applause.]

Mr. EVANS of California. Mr. Chairman, at this time I ask unanimous consent to insert in my remarks a letter which I received this morning from the president of the chamber of commerce from the city of Los Angeles, touching the very question raised by the gentleman from Washington.

The CHAIRMAN. The gentleman from California asks unanimous consent to insert at this point a letter, just referred to. Is there objection?

There was no objection.

The letter referred to is as follows:

THE LOS ANGELES CHAMBER OF COMMERCE,
OFFICE OF THE PRESIDENT,
April 4, 1928.

Hon. W. E. EVANS, M. C.,
House Office Building, Washington, D. C.

DEAR CONGRESSMAN EVANS: The mayor has sent to us your telegram of March 27, asking for data showing the ready response by the city, county, and State to relief work in the St. Francis Dam disaster.

Please be advised that immediately following the catastrophe the National Red Cross got on the job and cooperated most efficiently in handling the emergency relief. Every agency of the State immediately responded with offers to help, and the governor particularly was very kind in sending down Mr. Heron, of the board of control, who coordinated the efforts of the State departments wherein we found we could use them.

The county of Los Angeles, through its sheriff's department, immediately took up the task of handling the situation in Los Angeles County and covered it in a splendid way, so that we had little to handle from that angle.

The difficulty was to handle the situation in Ventura County, and there again we received the most complete cooperation from their officials and from the communities in the valley, particularly from Santa Paula, where Mr. C. C. Teague took charge of the Ventura County committee and cooperated splendidly.

Immediately following the disaster the chamber of commerce and the city officials arranged a series of conferences, and within a week's time \$1,000,000 was placed at the disposal of a special rehabilitation committee, organized by the city council, with our cooperation, of which committee the undersigned is chairman.

We have organized the work, in cooperation with the Ventura County committee, so that the rehabilitation of the valley is proceeding rapidly. This work is divided into several groups, such as agricultural rehabilitation, homes, personal losses, etc., and everything is moving along splendidly.

Arrangements are now being made by the water bureau to secure the necessary funds to complete the rehabilitation work, and there will be no slowing up of the effort to get the valley back to normal in the shortest possible time.

I need not say to you that Los Angeles did not hesitate to assume the responsibility for the whole difficulty without quibbling over the legalities of the situation, and this has met an instant response on the part of the people in the devastated region.

I would appreciate it very much if you would make a statement to Congress of the spirit of Los Angeles in this matter in accepting the fullest responsibility and immediately organizing relief without quibbling. I don't think there has been any case of a similar nature that has been handled with a greater degree of satisfaction to those who have suffered the damage than has this case. Los Angeles intends to pay in full, and we believe that the whole matter will be cleaned up without a single lawsuit of any description.

I would also like to pay my respects, in the highest terms, to the mayor of Los Angeles for the fine stand he took in this matter in urging that the city immediately accept its responsibility and for the fine spirit shown by the members of the city council in support of the mayor's position.

In a catastrophe such as this it brings out very quickly the stuff that men are made of and the attitude of our city officials—the city attorney, the city council, and the mayor—merits our sincere praise and appreciation.

Thanking you for your interest, I am,

Very truly yours,

GEO. L. EASTMAN,

President Los Angeles Chamber of Commerce.

Mr. EVANS of California. Now that this catastrophe has passed, with its toll of life and property, the public is interested in knowing its cause and what, if anything, can be gained from its disastrous effect. Immediately following the breaking of this dam Governor Young, of the State of California, appointed a commission to investigate the causes leading to the failure of the dam, consisting of six of the most eminent and well-known engineers and geologists obtainable, with instructions to the commission as follows:

Not only California but all the Nation has been appalled by the dreadful calamity which has befallen the beautiful Little Santa Clara River Valley, in Los Angeles and Ventura Counties. This is a matter in which there are obviously three parties at interest—the stricken area of the two counties, the city of Los Angeles, and the public at large. All of these are obviously equally anxious to learn all of the facts connected with this disaster.

I accordingly feel that it is a duty of the State to assemble a commission of eminent engineers and scientists to investigate the causes leading to the failure of the St. Francis Dam.

The prosperity of California is largely tied up with the storage of its flood waters. We must have reservoirs in which to store these waters if the State is to grow. We can not have reservoirs without dams. These dams must be made safe for the people living below them. All this is both elemental and fundamental.

Accordingly, our duty is a double one. We must learn, if it be possible, just what caused the failure of the St. Francis Dam; the lesson that it teaches must be incorporated into the construction of future dams. There must be no repetition of this catastrophe if it is humanly possible to prevent it.

On the 24th day of March, 1928, after making thorough investigation of the dam site and the specifications under which the dam was built and the geological conditions of the canyon where the dam was located, the commission of investigation made its report, which is as follows:

1. The failure of St. Francis Dam was due to defective foundations.
2. There is nothing in the failure of the St. Francis Dam to indicate that the accepted theory of gravity-dam design is in error or that there is any question about the safety of concrete dams designed in accordance with that theory when built upon even ordinarily sound bedrock. On the contrary, the action of the middle section, which remains standing even under such adverse conditions, is most convincing evidence of the stability of such structures when built upon firm and durable bedrock.

Third. The failure of this dam indicates the desirability of having all such structures erected and maintained under the supervision and control of State authorities. Water storage, with its necessary concomitant dams and embankments, is peculiarly essential to the development of California resources, and in the great majority of cases failures would result in serious loss of life and property. This disaster emphasizes the fact that while the benefits accrue to the builders of such projects, the failures bring disaster to others who have no control over the design, construction, and maintenance of the works. The police power of the State certainly ought to be extended to cover all structures impounding any considerable quantities of water.

Respectfully submitted.

A. J. WILEY,

Chairman, Boise, Idaho, Consulting Engineer.

GEO. D. LOUDERBACK,

*Berkeley, Calif., Professor of Geology,
University of California.*

F. L. RANSOME,

*Pasadena, Calif., Professor of Economic Geology,
California Institute of Technology.*

F. E. BONNER,

*San Francisco, Calif., District Engineer, United States
Forest Service, and California Representative Federal
Power Commission.*

H. T. CORY,

Los Angeles, Calif., Consulting Engineer.

F. H. FOWLER,

San Francisco, Calif., Consulting Engineer.

Mr. ARENTZ. Mr. Chairman, will the gentleman yield?

Mr. EVANS of California. Yes.

Mr. ARENTZ. A number of questions have been asked as to the type of dam this was. As the gentleman knows, there are three types of masonry dams—the gravity type, the arch type, and the hollow type. The gravity type is the type of dam containing enough material to hold back the pressure of the water. The arch type depends upon a series of arches to hold back the pressure of the water. The hollow type is a series of buttresses with a concrete face to hold back the pressure of the water. The gentleman asked me the other day regarding such matters, and I take pleasure in informing him.

Mr. EVANS of California. Briefly, and in common language, the dam failed because it was not built upon a solid foundation. There was nothing lacking in the construction or in the material used in construction. As evidence of this the governor's commission very aptly points to the large section of the center part of the dam that was left standing unmoved from its base. This particular part of the dam, as the commission points out, was on a solid foundation, and had the entire dam been so located the breaking would not have occurred.

Mr. ARENTZ. Mr. Chairman, will the gentleman yield?

Mr. EVANS of California. Yes.

Mr. ARENTZ. In conversation with the gentleman the other day we were talking about the need of geologists in the investigation of dam sites. Undoubtedly there was pervious clay on top of this superstructure. It was dry, and it was to all intents and purposes rock, but as soon as the water hit it, it dissolved. There are many types of that kind of rock throughout the desert country, and it is simply an instance where the minutest detail was not figured on in the construction of a great structure.

Mr. EVANS of California. I read from the report of the commission, as follows:

There can be no question but that such a dam properly built upon a firm and unyielding foundation would be safe and permanent under all conceivable conditions, except perhaps faulting and earthquake shocks of tremendous violence. Indeed, such a dam may properly be deemed to be among the most durable of all man-made structures. Unfortunately in this case the foundation under the entire dam left very much to be desired. * * *

A fact which should be very reassuring as to the stability of a gravity dam on reasonably sound bedrock is that although the central section still standing must have been exposed to tremendous and sudden stresses amounting to shocks, while still subject to practically full-water pressure it is undisturbed except from an apparent movement at the top of some 5.5 inches downstream and 6 inches toward the easterly abutment.

So the conclusion necessarily forces itself upon us that by this disastrous experience the efficacy and durability of a concrete dam is proven, and when built on a solid bedrock foundation, impervious to the soluble effects of water and anchored at each end to the same sort of solid structure, safety is reasonably assured. In other words, there is no more indictment coming out of this experience against dams as such, or high dams, or against concrete gravity structures of this kind, than there was against the building of more theaters after the terrible Knickerbocker Theater collapse that occurred in this city several years ago, or against using ocean transports after the horrible wreck by which the *Titanic* sank to the bottom of the ocean with its cargo of hundreds of human beings. On the contrary, the reliability of the concrete structure is adequately demonstrated when properly located. Beginning with the breaking of the Johnstown Dam in 1889, we have had 19 major dam failures in this country down to the present time, with an attendant loss of life of about 2,800 people and property loss of probably \$30,000,000.

As pointed out by Governor Young in his instructions to the investigating commission appointed by him, the prosperity of the great western arid and semiarid sections of our country is largely, if not entirely, tied up with the storage of flood waters. We must have reservoirs in which to store these waters if these sections of the United States continue to grow and develop. The development of a number of our Western States has been the result of storing and conserving flood waters and it may be very properly and consistently said that development along this line has merely begun. Undoubtedly the next 50 years will bring many more large storage reservoirs of far greater capacity than any that have been built up to this time, and it is safe to predict and even to expect that the dams built following this catastrophe will be the safest dams ever built. The lesson taught by this failure will have impressed itself deeply on the minds of the people, and every workman on construction projects of this kind will feel a sense of personal responsibility to do and perform every duty that is placed

upon him in the most efficient manner possible. The engineers who locate and construct future dams will for many years carry in their minds a picture of this dam failure and it is safe to assume that greater precaution will prevail in the execution of this kind of construction as a result of the lessons learned.

Now that this terrible disaster has passed, one of the most pathetic things left in its wake is Mr. William Mulholland, the builder. He was not caught and destroyed along with the hundreds of others that fell its victims, but his heart is crushed and his life burdened with a load entirely too much for him to carry. He is now far into his seventies. I know him personally and he is my friend, and I know him to be an honest, capable, good man. When he was informed of this thing of horror, he remarked that his only regrets were that he did not go with the others. Mr. Mulholland sat in my office only a few weeks ago here in the Capitol and recounted to me and others present during our evening's visit the history of literally dozens of dams, reservoirs, and other works that he had constructed or superintended. Up to that time everyone of these dams and structures had proven successful. It has been said of him, and I think it can undoubtedly be proven, that he has built more such works than any living man in America to-day. This one has failed. He says that something must have been overlooked, and that he takes on himself all human responsibility. It is not difficult to understand how something could be overlooked by a man who has carried such tremendous responsibilities on his shoulders for 50 years.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. EVANS of California. May I have 10 minutes more?

Mr. MURPHY. I yield to the gentleman 10 minutes more.

The CHAIRMAN. The gentleman from California is recognized for 10 minutes more.

Mr. EVANS of California. Up until the collapse of this dam a few weeks ago all were highly successful. He conceived the project of the gigantic aqueduct that cost the city \$34,000,000, and is worth several times that amount of money. Without the conception and genius over Mr. Mulholland for 50 years the city of Los Angeles, now a city of one and a quarter million people, would not have been more than half as large as it is to-day. So my deepest sympathy goes out to Mr. Mulholland. I know he is an able man and a conscientious man. In this case something was simply overlooked. The dam had been built only a few years.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. EVANS of California. Certainly.

Mr. MADDEN. Something was probably overlooked without anything having been overlooked when it was constructed. Every precaution known to science may have been taken. Nobody was to blame.

Mr. EVANS of California. That is altogether possible.

Mr. MADDEN. I am rather inclined to mitigate in large measure any possible criticism upon the construction of that dam.

Mr. EVANS of California. I thank the gentleman for that statement. I know that is the feeling throughout the country. If you were to know Mr. Mulholland as I know him you would entertain the same idea, if you knew his great work in that country.

Mr. ARENTZ. I think the gentleman from Illinois is correct, and we must recognize the fact that every dam is an entity in itself. Each one differs from the other as much as the materials that enter into the dam differ, or the size of the dam, or the surface configuration on which the dam is built. Mr. Mulholland no doubt used every precaution in the world, but some little condition intervened, even though the scientists overlooked it.

Mr. EVANS of California. So I say my heart goes out to him in deepest sympathy, and I am sure that this feeling is concurred in by the people of southern California generally.

Mr. SANDLIN. Mr. Chairman, if there are no further speakers, I suggest that the Clerk read the bill for amendment.

Mr. MADDEN. That is a good idea.

Mr. MURPHY. There are no Members who want to talk now, although some time has been promised to them. There are other things engrossing the attention of a number of Members of Congress to-day, so I move that the committee do now rise.

Mr. MADDEN. When I hear a good suggestion, one that has the wisdom in it that was expressed by the gentleman from Louisiana, I can not help but concur in it.

Mr. SANDLIN. Mr. Chairman, I spoke rather hastily, but I feel that when you grant time to Members they ought to be here to use it, and there is no use in delaying matters. But,

as the gentleman from Ohio says, there are some Members who expected we would discuss this bill Thursday and Friday. I am willing to concur in the motion made by the gentleman from Ohio, but I think Members who want time should be ready to proceed Thursday.

Mr. MADDEN. Is some occult influence at work?

Mr. MURPHY. I assure the great chairman of this committee that I do not feel any inward impulse of any kind at this time, but I think, in fairness to the Members who are not here this afternoon, the committee should now rise, and I will so move.

Mr. MADDEN. I always defer to the judgment of the gentleman from Ohio when he rises, as I do to every other gentleman from Ohio when he rises.

Mr. MURPHY. I thank the chairman. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HAWLEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 12875) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1929, and for other purposes, and had come to no resolution thereon.

Mr. GARNER of Texas. Will the gentleman from Ohio yield?

Mr. MURPHY. Yes.

Mr. GARNER of Texas. I would like to ask the gentleman from Ohio the purpose of the committee in rising at this time?

Mr. MADDEN. The gentleman from Texas must have some lurking notion about it.

Mr. GARNER of Texas. Well, no. I want to ask the gentleman from Ohio for the benefit of the RECORD, and especially for the benefit of the Members of the House, if he expects this bill to take the balance of the week outside of Calendar Wednesday?

Mr. MURPHY. That is my understanding. I will say to the gentleman from Texas it is expected to have debate on this bill the rest of the week.

Mr. MADDEN. I am not so sure about that.

Mr. GARNER of Texas. Do you hope to pass it this week?

Mr. MURPHY. We hope to pass it this week.

Mr. GARNER of Texas. But it will take the balance of the week outside of to-morrow?

Mr. MURPHY. That is the intention.

Mr. OLDFIELD. Why do you want to quit at 2 o'clock?

Mr. SANDLIN. The gentleman from Ohio is not to blame and I want to be fair about the matter. I had yielded time to gentlemen on this side but they are not here to speak.

Mr. GARNER of Texas. One of the ways to meet the situation when gentlemen get time and are not here is to read the bill and pass it and let them get time on some other bill.

Mr. MURPHY. I appreciate the judgment of the gentleman from Texas, but I also have a responsibility toward the membership of the House both on his side of the aisle and on this side, and, Mr. Speaker, I move that the House do now adjourn.

Mr. OLDFIELD. Will the gentleman withhold that a moment?

Mr. MURPHY. Yes; I withhold it.

Mr. OLDFIELD. I want to say to the gentleman I am very much disappointed at the action here to-day. I had hoped we would get through with this bill Thursday and then take up flood relief, because in my district we have almost as bad a flood now as we had a year ago, and this is urgent.

Mr. MADDEN. We could not stop that now.

Mr. OLDFIELD. I know that; but it may get worse.

Mr. MADDEN. And I will say to the gentleman from Arkansas [Mr. OLDFIELD] that if it becomes important and necessary for this bill to be set aside for a day or so in order to act on the flood relief bill we will not object to that.

Mr. OLDFIELD. All right; that is fine.

Mr. MADDEN. We are trying to accommodate our friends everywhere.

Mr. GARNER of Texas. Are you not really just using this bill as a kind of buffer so as to have it on tap in case necessity may require its consideration?

Mr. MADDEN. Oh, no; this is a serious proposition, I will say to the gentleman from Texas.

ADJOURNMENT

Mr. MURPHY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock p. m.) the House adjourned until to-morrow, Wednesday, April 11, 1928, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, April 11, 1928, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON AGRICULTURE

(10 a. m.)

For the prevention and removal of obstructions and burdens upon interstate commerce in cotton by regulating transactions on cotton-futures exchanges (H. R. 11017 and other bills relating to cotton).

COMMITTEE ON MILITARY AFFAIRS

(10 a. m.)

To provide for the placing of the names of certain individuals on the rolls of the War Department, and to authorize the board of regents of the Smithsonian Institution to make certain recommendations (H. R. —).

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(10 a. m.)

To regulate interstate commerce by motor vehicles operating as common carriers of persons on the public highways (H. R. 12380).

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To provide legal-tender money without interest secured by community noninterest-bearing 25-year bonds for public improvements, market roads, employment of unemployed, building homes for, and financing through community banks organized under State laws, its citizens, farmers, merchants, manufacturers, partnerships, corporations, trusts, or trustees, and for community needs of the United States (H. R. 12288).

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

(10 a. m.)

To amend the World War veterans' act, 1924 (H. R. 10160).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

431. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination and survey of Elk River, Md. (H. Doc. No. 216); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

432. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination and survey of Big Timber Creek, N. J. (H. Doc. No. 217); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

433. A communication from the President of the United States, transmitting draft of proposed legislation to continue available until June 30, 1929, the appropriation of \$50,000 for the expense of the Federal Oil Conservation Board for the fiscal years 1925 and 1926, made in the first deficiency act, approved January 20, 1925 (H. Doc. No. 218); to the Committee on Appropriations and ordered to be printed.

434. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the Department of State for the fiscal year ending June 30, 1928, amounting to \$10,000 (H. Doc. No. 219); to the Committee on Appropriations and ordered to be printed.

435. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the Department of Justice for the fiscal year 1928, to remain available until expended, for beginning the construction of the United States Industrial Reformatory, Chillicothe, Ohio, amounting to \$400,000 (H. Doc. No. 220); to the Committee on Appropriations and ordered to be printed.

436. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the Treasury Department for the fiscal year 1928, for retiring outstanding bonds secured by the Cape Cod Canal, \$6,230,000 (H. Doc. No. 221); to the Committee on Appropriations and ordered to be printed.

437. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the Treasury Department for the fiscal year 1928, for carrying out the provisions of the settlement of war claims act of 1928, \$50,000,000 (H. Doc. No. 222); to the Committee on Appropriations and ordered to be printed.

438. A communication from the President of the United States, transmitting draft of proposed legislation transferring

on July 1, 1928, the care, maintenance, and protection of certain buildings now occupied by the War Department, and the disbursement of funds appropriated therefor, from the Secretary of War to the Director of Public Buildings and Public Parks of the National Capital (H. Doc. No. 223); to the Committee on Rivers and Harbors and ordered to be printed.

439. A communication from the President of the United States, transmitting supplemental estimate of appropriations under the legislative establishment, United States Senate, for the fiscal year 1928, in the sum of \$15,500 (H. Doc. No. 224); to the Committee on Appropriations and ordered to be printed.

440. A communication from the President of the United States, transmitting supplemental estimate of appropriations for the Treasury Department for the fiscal year 1928, \$57,000, and for the fiscal year 1929, \$242,310; in all, \$299,310; also proposed legislation affecting the use of existing appropriations (H. Doc. No. 225); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. MURPHY: Committee on Appropriations. H. R. 12875. A bill making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1929, and for other purposes; without amendment (Rept. No. 1187). Referred to the Committee of the Whole House on the state of the Union.

Mr. WHITE of Colorado: Committee on the Public Lands. H. R. 11852. A bill providing for the confirmation of grant of lands formerly the United States barracks at Baton Rouge, La., to the board of supervisors of the Louisiana State University and Agricultural and Mechanical College; with amendment (Rept. No. 1190). Referred to the House Calendar.

Mr. LEAVITT: Committee on Indian Affairs. H. R. 12000. A bill to extend the period of restrictions on lands of certain members of the Five Civilized Tribes, and for other purposes; with amendment (Rept. No. 1193). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. HALE: Committee on Naval Affairs. H. R. 1957. A bill for the relief of Wendell M. Saunders; without amendment (Rept. No. 1188). Referred to the Committee of the Whole House.

Mr. WOODRUFF: Committee on Naval Affairs. S. 1848. An act for the relief of Frank Dixon; without amendment (Rept. No. 1189). Referred to the Committee of the Whole House.

Mr. WHITE of Colorado: Committee on the Public Lands. H. R. 9568. A bill to authorize the purchase at private sale of a tract of land in Louisiana, and for other purposes; with amendment (Rept. No. 1191). Referred to the Committee of the Whole House.

Mr. WHITE of Colorado: Committee on the Public Lands. H. R. 12041. A bill granting certain land to the Roman Catholic congregation of St. Joseph's Roman Catholic Church of the city of Baton Rouge, La.; with amendment (Rept. No. 1192). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 9792) granting a pension to Clarinda Mason Smith; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 11299) to grant accrued pension to Mary L. Christman; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MURPHY: A bill (H. R. 12875) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1929, and for other purposes; committed to the Committee of the Whole House on the state of the Union.

By Mrs. ROGERS: A bill (H. R. 12876) to accord nonquota status under the immigration laws to widows of veterans of the World War killed in action; to the Committee on Immigration and Naturalization.

By Mr. GARNER of Texas: A bill (H. R. 12877) authorizing the Los Olmos International Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Rio Grande River at or near Weslaco, Tex.; to the Committee on Interstate and Foreign Commerce.

By Mr. McSWEENEY: A bill (H. R. 12878) to insure adequate supplies of timber and other forest products for the people of the United States, to promote the full use for timber growing and other purposes of forest lands in the United States, including farm wood lots and those abandoned areas not suitable for agricultural production, and to secure the correlation and the most economical conduct of forest research in the Department of Agriculture, through research in reforestation, timber growing, protection, utilization, forest economics, and related subjects, and for other purposes; to the Committee on Agriculture.

By Mr. WOODRUFF: A bill (H. R. 12879) to repeal section 1445 of the Revised Statutes of the United States; to the Committee on Naval Affairs.

By Mr. KELLY: Joint resolution (H. J. Res. 268) requesting the President to negotiate with the nations with which there is no such agreement treaties for the protection of American citizens of foreign birth, or parentage, from liability to military service in such nations; to the Committee on Foreign Affairs.

By Mr. MORIN: Resolution (H. Res. 160) providing for the consideration of S. J. Res. 46, to provide for the national defense by the creation of a corporation for the operation of the Government properties at or near Muscle Shoals, in the State of Alabama, and for other purposes; to the Committee on Rules.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

By Mr. O'CONNOR of New York: Resolution of the Legislature of the State of New York, urging, in the event of the Federal Government buying a ship canal across the State of New York and the constitution of the State of New York being amended in the prescribed manner so as to permit transfer to the Federal Government of the existing Erie Barge Canal as a part of a national waterways route, that the eastern portion of such ship canal be built to follow the historic route of the Mohawk River and the Erie Barge Canal to the head of tidewater in the Hudson River at Troy, N. Y.; to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEERS: A bill (H. R. 12880) granting a pension to Susanna Hallman; to the Committee on Invalid Pensions.

By Mr. DRANE: A bill (H. R. 12881) granting an increase of pension to Mary McCoy; to the Committee on Invalid Pensions.

By Mr. EDWARDS: A bill (H. R. 12882) providing for the examination and survey of inland waterway at Thunderbolt, Ga., with the view of establishing an anchorage basin or harbor for small boats; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 12883) providing for the examination and survey of the inland waterways and the Altamaha River at and near Darien, Ga., with the view of improving the harbor at Darien, Ga.; to the Committee on Rivers and Harbors.

By Mr. HADLEY: A bill (H. R. 12884) for the relief of Herman O. Kruschke; to the Committee on Military Affairs.

By Mr. HOFFMAN: A bill (H. R. 12885) granting an increase of pension to Joanna J. Reid; to the Committee on Invalid Pensions.

By Mr. HUDSON: A bill (H. R. 12886) to provide for payment of the amount of war-risk insurance to a beneficiary designated by Staff Sergt. Leslie I. Wright, deceased; to the Committee on War Claims.

By Mr. MORGAN: A bill (H. R. 12887) granting a pension to Catharine E. Whyde; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12888) granting an increase of pension to Adelia M. P. Jackson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12889) granting an increase of pension to Mary A. Crabb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12890) granting an increase of pension to Sophia A. Lint; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12891) for the relief of James S. Williams; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6638. By Mr. BROWNE: Resolution adopted by a mass meeting of citizens of Superior, Wis., opposing the construction of a bridge or bridges across the Bay of Superior from some point or points in the city of Superior to Minnesota Point; to the Committee on Interstate and Foreign Commerce.

6639. By Mr. BULWINKLE: Petition of 146 citizens of Higgins, N. C., urging immediate steps be taken to bring about a vote on a Civil War pension bill carrying the rates proposed by the National Tribune; to the Committee on Invalid Pensions.

6640. By Mr. COCHRAN of Pennsylvania: Petition signed by Rev. C. H. Williamson, D. D., pastor of First Presbyterian Church, of Grove City, and adopted by 1,500 of its members, urging the enactment of the Lankford Sunday rest bill (H. R. 78); to the Committee on the District of Columbia.

6641. By Mr. CRAIL: Petition of Bartlett-Logan Post, No. 6, Grand Army of the Republic, Los Angeles County, Calif., for the passage of bill for increased pensions to Civil War veterans and widows; to the Committee on Invalid Pensions.

6642. By Mr. CULLEN: Letter from New York State Federation of Women's Clubs favoring passage of Cooper-Hawes bill; to the Committee on Labor.

6643. By Mr. DAVEY: Petition of citizens of Homerville, Medina County, Ohio, protesting against naval-expansion program; to the Committee on Naval Affairs.

6644. Also, petition of citizens of Medina County, Ohio, favoring increased pension for Civil War veterans and their widows; to the Committee on Invalid Pensions.

6645. Also, petition of citizens of Akron, Summit County, Ohio, favoring increased pension for Civil War veterans and their widows; to the Committee on Invalid Pensions.

6646. Also, petition of citizens of Lorain County, Ohio, favoring increased pensions for Civil War veterans and their widows; to the Committee on Invalid Pensions.

6647. Also, petition of citizens of Akron, Summit County, Ohio, protesting against the enactment into law of House bill 78 (Lankford Sunday observance bill); to the Committee on the District of Columbia.

6648. Also, petition bearing 19 signatures, protesting against the enactment into law of House bill 78 (Lankford Sunday observance bill); to the Committee on the District of Columbia.

6649. Also, petition of citizens of Wyandot and Lorain Counties, Ohio, protesting against the enactment into law of House bill 78 (Lankford Sunday observance bill); to the Committee on the District of Columbia.

6650. By Mr. ELLIOTT: Petition of Sarah M. Larimore et al., of Brookville, Ind., requesting legislation in favor of Civil War veterans and dependents; to the Committee on Invalid Pensions.

6651. By Mr. GARBER: Petition of Iowa Pharmaceutical Association, of Des Moines, Iowa, in support of the Capper-Kelly fair trade bill (H. R. 11 and S. 1418); to the Committee on Interstate and Foreign Commerce.

6652. Also, petition of Ellis Owen, of Ponca City, Okla., in opposition to the passage of Senate bill 1752, in regard to stamped envelopes; to the Committee on the Post Office and Post Roads.

6653. Also, petition of residents of Boyd, Okla., in opposition to the passage of House bill 78 for compulsory Sunday observance; to the Committee on the District of Columbia.

6654. Also, petition of W. H. Bruns, third assistant engineer U. S. S. *St. Louis*, now of New York City, in support of House bill 11488, to give the crew of the U. S. S. *St. Louis* pensionable status; to the Committee on Pensions.

6655. Also, petition of David L. Carter, of Ponca City, Okla., in opposition to the passage of Senate bill 1752; to the Committee on the Post Office and Post Roads.

6656. Also, petition of Democratic County Convention of Carter County, Okla., in support of House bill 500, Fitzgerald retirement bill; to the Committee on World War Veterans' Legislation.

6657. Also, petition of Post No. 87, American Legion, Pauls Valley, Okla., in support of Fitzgerald retirement bill for emergency Army officers; to the Committee on World War Veterans' Legislation.

6658. By Mr. HOCH: Petition of Oral Martin and 70 other voters of Eureka, Kans., urging that immediate steps be taken to bring to a vote a Civil War pension bill; to the Committee on Invalid Pensions.

6659. By Mr. KINDRED: Petition of Maj. John W. Mark Post No. 142, American Legion, urging the United States Congress to report favorably upon the Capper-Johnson bill (H. R.

8313) before adjournment of Congress; to the Committee on Military Affairs.

6660. By Mr. McLAUGHLIN: Petition of Clarissa A. Painter and 33 other residents of Newaygo County, Mich., urging passage of bill providing increase of pension for Civil War veterans and their widows; to the Committee on Invalid Pensions.

6661. By Mr. MAJOR of Missouri: Petition of citizens of Cole Camp, Mo., protesting against the passage of House bill 78 or any other compulsory Sunday bills; to the Committee on the District of Columbia.

6662. By Mr. O'CONNELL: Memorial of the Legislature of the State of New York, with reference to the project of an all-American ship canal across the State of New York, connecting the Great Lakes with the Atlantic Ocean; to the Committee on Rivers and Harbors.

6663. Also, petition of the Gottfried & Marshall Co., New York City, opposing the passage of the McNary-Haugen bill; to the Committee on Agriculture.

6664. Also, petition of the National Fertilizer Association, Washington, D. C., opposing the amendment to the Norris Muscle Shoals resolution, placing the Government in the fertilizer business; to the Committee on Military Affairs.

6665. Also, petition of the Hollywood Chamber of Commerce, Hollywood, Calif., favoring the passage of the Colorado River project; to the Committee on Rivers and Harbors.

6666. By Mr. WILLIAMSON: Petition of numerous residents of Wasta, S. Dak., for passage of legislation providing increased pensions to Civil War veterans and their widows; to the Committee on Invalid Pensions.

SENATE

WEDNESDAY, April 11, 1928

(Legislative day of Monday, April 9, 1928)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had adopted a concurrent resolution (H. Con. Res. 29) accepting the statue of Andrew Jackson, by Mrs. Belle Kinney Scholz, with the thanks of Congress, in which it requested the concurrence of the Senate.

CALL OF THE ROLL

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Edwards	McKellar	Shipstead
Barkley	Fess	McLean	Shortridge
Bayard	Fletcher	McMaster	Simmons
Bingham	Frazier	McNary	Smith
Black	Gerry	Mayfield	Smoot
Blaine	Glass	Metcalf	Steak
Blease	Goff	Moses	Steuwer
Borah	Gooding	Neely	Stephens
Bratton	Gould	Norbeck	Swanson
Brookhart	Greene	Nye	Thomas
Broussard	Hale	Oddie	Tydings
Bruce	Harris	Overman	Tyson
Capper	Harrison	Phipps	Vandenberg
Caraway	Hawes	Pine	Wagner
Copeland	Hayden	Pittman	Walsh, Mass.
Couzens	Heflin	Ransdell	Walsh, Mont.
Curtis	Jones	Reed, Pa.	Warren
Cutting	Kendrick	Robinson, Ind.	Waterman
Dale	Keyes	Sackett	Watson
Dill	King	Schall	Wheeler
Edge	La Follette	Sheppard	

Mr. McNARY. I wish to announce that the senior Senator from California [Mr. JOHNSON] is absent on account of illness.

Mr. CARAWAY. I desire to announce that my colleague the senior Senator from Arkansas [Mr. ROBINSON] is necessarily detained by reason of illness. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Eighty-three Senators having answered to their names, a quorum is present.

REPUBLICAN PRESIDENTIAL NOMINATION

Mr. DALE. Mr. President, as I was coming into the Chamber this morning I was handed a copy of to-day's New York Times. I was a little disturbed by what is stated in the Times as a classification of the delegates about to be elected to the Republican National Convention. I have not had any time to formulate what I have to say and it may carry more or less weight

because of that fact. I do want to say, however, that on the subject to which I refer I have never exchanged a word directly or indirectly with the President of the United States.

Under the classification in the New York Times it is stated that to the next national convention of the Republican Party the State of Vermont will send its delegates instructed, six for Calvin Coolidge and five for Herbert Hoover. This would mean that Vermont would send a split delegation. Mr. President, Vermont has never sent a split delegation to a national convention. That does not express the character of the people of the State of Vermont. From 1856 on Vermont has sent its delegation for or against some man. He has sometimes been nominated and sometimes he has not been nominated, but Vermont has been for him or against him. When the people of Vermont do anything, they do it that way. It is typical of the people of Vermont. They are for or against a man, or for or against a policy.

It is rather interesting in this connection to note that Vermont is the only State in the Union that has followed that course clear through to the present time. It is the only State in the Union that has cast its electoral vote without fail for a Republican candidate, and it will do the same in the coming election.

I do not undertake to say that the delegation in Congress from Vermont would assume to dictate what Vermont will do. We do not dictate to the people up there. We do not even ask to be sent as delegates from Vermont to the national convention. But the people of Vermont come in and consult with us once in a while when they are here. I have an idea what the people of Vermont will do. I know in my own mind what they ought to do, what is the reasonable thing for the people of Vermont to do, and I express it as my judgment that when Vermont sends her delegates to the national convention she will send them as one man instructed to vote for her native son for President of the United States—Calvin Coolidge.

Mr. HEFLIN. Mr. President, I was just entering the Chamber when the Senator from Vermont concluded his statement, saying that Vermont would send to the national convention a solid delegation for Mr. Coolidge. I wonder if Mr. Hoover has withdrawn.

YESTERDAY'S ELECTION IN ILLINOIS

Mr. CARAWAY. Mr. President, at the risk of a breach of the proprieties, but certainly with the kindest intentions, I want to congratulate the great State of Illinois and the splendid Senator from that State on the election held in Illinois yesterday. It restores one's confidence in the people's rule.

PETITIONS AND MEMORIALS

Mr. REED of Pennsylvania presented a memorial of the Philadelphia (Pa.) Board of Trade, remonstrating against the passage of the bill (S. 3508) to increase the number of members of the Federal Reserve Board, to make the board more representative, to provide for the proper control and equitable distribution of the credit supply, to establish closer contact between the Congress and its agent, the Federal Reserve Board, and for other purposes, which was referred to the Committee on Banking and Currency.

Mr. WARREN presented a resolution adopted by the Cheyenne (Wyo.) Chamber of Commerce, favoring the passage of legislation to provide for aided and directed settlement on Federal reclamation projects, which was referred to the Committee on Irrigation and Reclamation.

Mr. BLAINE presented memorials signed by 64 citizens of the State of Wisconsin, remonstrating against the passage of legislation tending to lessen the restrictions placed upon the importation of chilled and dressed meat from Argentina, which were referred to the Committee on Finance.

Mr. BROOKHART presented a resolution adopted by the annual convention of the Iowa Pharmaceutical Association, favoring the passage of the so-called Jones-Stalker bill, relative to prohibition enforcement, which was referred to the Committee on the Judiciary.

He also presented a resolution adopted by the annual convention of the Iowa Pharmaceutical Association, favoring the passage of the bill (S. 1418) to protect trade-mark owners, distributors, and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguishing trade-mark, brand, or name, which was referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by the annual convention of the Iowa Pharmaceutical Association, protesting against the passage of the bill (S. 2035) to regulate the distribution and sale in interstate commerce of certain toilet articles, which was referred to the Committee on Interstate Commerce.